

EXHIBIT 3



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Please find below and/or attached an Office communication concerning this application or proceeding.



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CENTRAL REEXAMINATION UNIT

***EX PARTE* REEXAMINATION COMMUNICATION TRANSMITTAL FORM**

REEXAMINATION CONTROL NO. 90/008,104.

PATENT NO. 6023683.

ART UNIT 3992.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

Office Action in Ex Parte Reexamination	Control No. 90/008,104	Patent Under Reexamination 6023683	
	Examiner JOSEPH R. POKRZYWA	Art Unit 3992	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

- a ☒ Responsive to the communication(s) filed on 29 May 2008. b ☒ This action is made FINAL.
c ☐ A statement under 37 CFR 1.530 has not been received from the patent owner.

A shortened statutory period for response to this action is set to expire 2 month(s) from the mailing date of this letter. Failure to respond within the period for response will result in termination of the proceeding and issuance of an *ex parte* reexamination certificate in accordance with this action. 37 CFR 1.550(d). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).** If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☐ Notice of References Cited by Examiner, PTO-892. 3. ☐ Interview Summary, PTO-474.
2. ☒ Information Disclosure Statement, ~~PTO/CB/08~~, PTO-1449 4. ☐ _____.

Part II SUMMARY OF ACTION

- 1a. ☒ Claims 26-45 are subject to reexamination.
1b. ☒ Claims 1-25 are not subject to reexamination.
2. ☐ Claims _____ have been canceled in the present reexamination proceeding.
3. ☐ Claims _____ are patentable and/or confirmed.
4. ☒ Claims 26-45 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ The drawings, filed on _____ are acceptable.
7. ☐ The proposed drawing correction, filed on _____ has been (7a) ☐ approved (7b) ☐ disapproved.
8. ☐ Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the certified copies have
1 ☐ been received.
2 ☐ not been received.
3 ☐ been filed in Application No. _____.
4 ☐ been filed in reexamination Control No. _____.
5 ☐ been received by the International Bureau in PCT application No. _____.
* See the attached detailed Office action for a list of the certified copies not received.
9. ☐ Since the proceeding appears to be in condition for issuance of an *ex parte* reexamination certificate except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte* Quayle, 1935 C.D. 11, 453 O.G. 213.
10. ☐ Other: _____

cc: Requester (if third party requester)

Application/Control Number: 90/008,104

Page 2

Art Unit: 3992

DETAILED ACTION

Brief Summary of Proceedings

1. Patent Owner's arguments were filed 5/29/08, in response to the Office action dated 2/29/08. Further, a Declaration of Brooks L. Hilliard was filed under 35 U.S.C. 1.132 by the Patent Owner on 5/29/08, whereby the Patent Owner's arguments take the position of the Declaration, asserting patentability of the claims and traversing the cited rejections in the Office action dated 2/29/08.
2. Claims 1-45 originally issued in U.S. Patent Number 6,023,683 ("the '683 Patent"), with claims 1-25 not being subject to the current reexamination proceeding. Thus, claims 26-45 are the current pending claims in the current reexamination proceeding.

Application/Control Number: 90/008,104
Art Unit: 3992

Page 3

3. In the Office action dated 2/29/08, the claims were rejected as follows:

Claims 26-45 stand rejected under 35 U.S.C. 102(a) as being anticipated by “J-CON Manual, Volume 1”, authored by Cooperative Computing, Inc. (the “J-CON Manual”).

Claims 26-45 stand rejected under 35 U.S.C. 102(b) as being anticipated by “A Practical Guide to SABRE Reservations and Ticketing”, authored by Jeanne Semer-Purzycki (the “SABRE Guide”).

Claims 26-45 stand rejected under 35 U.S.C. 102 (a) as being anticipated by “P.O. Writer-Plus Guided Tour Version 10.0” from American Tech., Inc. (the “P.O. Writer Manual”).

Claims 26-45 stand rejected under 35 U.S.C. 102(b) as being anticipated by “Gateway 2000/MRO Version “from Technical Service Associates (the “Gateway 2000/MRO Manual”).

Information Disclosure Statement

4. The references listed in the Information Disclosure Statement submitted on 5/29/2008 have been considered by the examiner (see attached PTO-1449).

Application/Control Number: 90/008,104
Art Unit: 3992

Page 4

Response to Arguments

5. Patent Owner's arguments filed 5/29/08 have been fully considered but they are not persuasive. In summary, the Patent Owner argues that the cited prior art references of the J-CON Manual, the P.O. Writer Manual, and the Gateway 2000/MRO Manual do not qualify as prior art, since they would not be considered as a printed publication, and the Patent Owner argues that each of the cited prior art references does not teach any limitations in the independent and dependent claims.

6. First, with respect to Patent Owner's arguments on pages 7-16, which argue that the J-CON Manual, P.O. Writer Manual, and the Gateway 200/MRO Manual do not qualify as a printed publication, the Patent Owner argues that "documents disseminated under conditions of confidentiality to a closed group are not "printed publications" under 102 because they are not accessible to the public." However, the examiner notes that these documents were not limited to "closed group". None of these operating manuals are confidential documents to a closed group, as any member of the public was able to purchase the software, and therein get access to the publications. The publications were not limited to only persons within a closed organization.

7. In this regard, MPEP 2128.01 [R-3], Part III states:

Documents and items only distributed internally within an organization which are intended to remain confidential are not "printed publications" no matter how many copies are distributed. There must be an existing policy of confidentiality or agreement to remain confidential within the organization. Mere intent to remain confidential is insufficient. ... *Garret Corp. v. United States*, 422 F.2d 874, 878, 164 USPQ 521, 524 (Ct. Cl.1970) ("While distribution to government agencies

Application/Control Number: 90/008,104

Page 5

Art Unit: 3992

and personnel alone may not constitute publication ... distribution to commercial companies without restriction on use clearly does.”).

8. The examiner notes that in the arguments, the Patent Owner cites *Garrett Corp. v. United States*, stating that the Court describes “distribution of 80 copies of report within government agencies to government personnel may not constitute publication”. Further, in *Northern Telecom, Inc. v. Datapoint Corp.*, the Patent Owner continues on page 10 that “government documents which included the legend reproduction or further dissemination is not authorized ...not for public release” could not constitute printed publications” for use as prior art. However, each of the J-CON Manual, the P.O Writer Manual, and the Gateway 2000/MRO Manual were not distributed to only “within government agencies to government personnel”, and do not include any legend that states “not for public release”. Rather, as noted above, the manuals were available to persons within the general public that purchased the publicly available software.

9. Continuing, the Patent Owner additionally argues on page 10 that in *IMX, Inc. v. Lendingtree, LLC*, 405 F. Supp.2d 479, 491 (D.Del. 2005), the Court stated that “a user manual for a software program and computer system did not constitute prior art because it was designated “Highly Confidential”...” However, upon review of these court documents, the examiner notes that the noted User’s Manual was in fact designated with “Highly Confidential – Attorneys Eyes Only”. The Court continued stating “there is no proof of record that it was sufficiently accessible to the public to be a printed publication.”

Application/Control Number: 90/008,104
Art Unit: 3992

Page 6

10. This is not the same as a distributed User's Manual that accompanied purchased software, or a User's Manual that is accessible to the purchaser's of software, as in the instant J-CON Manual, the P.O. Writer Manual, and the Gateway 2000/MRO Manual. Thus, the J-CON Manual, the P.O. Writer Manual, and the Gateway 2000/MRO Manual were not "distributed internally within an organization which are intended to remain confidential", and thus are considered as prior art printed publications.

11. Continuing, MPEP 2128.01 [R-3], Part I, states, in part:

In re Bayer, 568 F.2d 1357, 196 USPQ 670 (CCPA 1978) (A reference will constitute a "printed publication" as long as a presumption is raised that the portion of the public concerned with the art would know of the invention even if accessibility is restricted to only this part of the public....[Emphasis added]).

12. Thus, in the instant case, the J-CON Manual, the P.O. Writer Manual, and the Gateway 2000/MRO Manual were accessible to persons who purchased the respective software, therein being "the portion of the public concerned with the art... even if accessibility is restricted to only this part of the public".

13. Further, the Patent Owner argues that the J-CON Manual, the P.O. Writer Manual, and the Gateway 2000/MRO Manual each required the licensees to keep the information contained in the manuals confidential. First, the examiner notes that the J-CON Manual does not contain any such statement. Further, the Patent Owner points to the P.O. Writer Manual's notice that states that "Client acknowledges the proprietary nature of P.O. WRITER PLUS and agrees not to make

Application/Control Number: 90/008,104

Page 7

Art Unit: 3992

copies of P.O. Writer Plus software or User's Manuals...." However, the examiner notes that this is not an agreement to keep the user's manual "confidential", but rather not to make unauthorized reproductions of the manual.

14. Further, the Patent Owner points out that the Gateway 2000/MRO Manual states that "LICENSEE understands and agrees that the Program constitutes confidential and proprietary information of LICENSOR...." However, the examiner notes that this agreement is for the Program and not for the Manual that accompanied the software. The Patent Owner further argues that the Gateway 2000/MRO further states that "No part of this product may be copied, reproduced, translated or transcribed...without prior written consent ...". But once again, this does not state that the manual is confidential, but rather that persons may not make unauthorized reproductions of the product. The examiner notes that confidential agreements not to make copies, as discussed above and described by the Patent Owner, become applicable in determining whether a document is a printed publication when the art in question was not distributed, but rather, being temporarily publicly displayed documents, such as slides in a presentation.

15. In this regard, MPEP 2128.01 [R-3], Part IV states:

A publicly displayed document where persons of ordinary skill in the art could see it and are not precluded from copying it can constitute a "printed publication," even if it is not disseminated by the distribution of reproductions or copies and/or indexed in a library or database. As stated in *In re Klopfenstein*, 380 F.3d 1345, 1348, 72 USPQ2d 1117, 1119 (Fed. Cir. 2004), "the key inquiry is whether or not a reference has been made publicly accessible." Prior to the critical date, a fourteen-slide presentation disclosing the invention was printed and pasted onto

Application/Control Number: 90/008,104
Art Unit: 3992

Page 8

poster boards. The printed slide presentation was displayed with no confidentiality restrictions for approximately three cumulative days at two different industry events. 380 F.3d at 1347, 72 USPQ2d at 1118. The court noted that “an entirely oral presentation that includes neither slides nor copies of the presentation is without question not a printed publication’ for the purposes of 35 U.S.C. § 102(b). Furthermore, a presentation that includes a transient display of slides is likewise not necessarily a printed publication.” 380 F.3d at 1349 n.4, 72 USPQ2d at 1122 n.4. In resolving whether or not a temporarily displayed reference that was neither distributed nor indexed was nonetheless made sufficiently publicly accessible to count as a “printed publication” under 35 U.S.C. 102(b), the court considered the following factors: “the length of time the display was exhibited, the expertise of the target audience, the existence (or lack thereof) of reasonable expectations that the material displayed would not be copied, and the simplicity or ease with which the material displayed could have been copied.” 380 F.3d at 1350, 72 USPQ2d at 1120. Upon reviewing the above factors, the court concluded that the display “was sufficiently publicly accessible to count as a printed publication.” 380 F.3d at 1352, 72 USPQ2d at 1121.<

16. In the instant case, each of the references of the J-CON Manual, the P.O. Writer Manual, and the Gateway 2000/MRO Manual were not just temporarily displayed to customers. Rather, these documents were distributed to persons who purchased the commercially available software product, where the purchasers were not limited to a closed group. As noted above, the J-CON Manual, the P.O. Writer Manual, and the Gateway 2000/MRO Manual were accessible to persons who purchased the respective software, therein being “the portion of the public concerned with the art... even if accessibility is restricted to only this part of the public”.

Application/Control Number: 90/008,104
Art Unit: 3992

Page 9

With respect to the Patent Owner arguments regarding the J-CON Manual:

17. In response to Patent Owner's arguments regarding the rejection of claims 26-45 as being anticipated by the J-CON Manual, the Patent Owner argues on pages 26 and 27 that the purchaser utilizes the claimed methods to build requisitions and generate purchase orders, as opposed to the argued retailer in the J-CON Manual. The examiner notes that as the claims are currently worded, this distinction is not required in the claim language. There is no requirement that a purchaser device perform the claimed methods in claims 26-45. If the Patent Owner wishes this feature to be considered, then the claims should be amended accordingly.

18. Continuing, on pages 28 and 29, the Patent Owner argues that the J-CON Manual fails to disclose the limitation of "maintaining at least two product catalogs on a database containing data relating to items associated with respective sources", as the Patent Owner argues that the J-CON Manual merely utilizes a single catalog only, being the electronic parts catalog of the retailer. The examiner notes that the current claim language does not require maintaining at least two retail catalogs relating to respective retail sources. Rather, the current claim language requires at least two product catalogs that contain data that are associated with respective sources. The Patent Owner describes the meaning of "catalog" on page 22 of the arguments as being "an organized collection of items and associated information which typically includes a part number, price, catalog number, vendor name, vendor ID, a textual description of an item, and images of or relating to the item". However, this would not be the broadest reasonable

Application/Control Number: 90/008,104

Page 10

Art Unit: 3992

interpretation of the term “catalog”. Instead, a broad and reasonable interpretation of the term “catalog” would just be “an organized collection of items”.

19. With this, the J-CON Manual is clear to teach of organized collections of auto parts, since as read on Ch. 3, Sec. 2, page 1, “parts are organized into part groups; for example, wheels and brake parts are in one group, and filters and parts for tune-ups are in another group.” Thus, these groups of organized parts can be each considered as “product catalogs”. The Patent Owner further argues that the claimed system is intended to facilitate sales from multiple sources, rather than sales from a single source, being the retailer in the J-CON Manual. However, the examiner notes that in interpreting the current claim language, the source would not be the retailer that uses the J-CON software, but instead, the source of the auto parts in the respective groups of parts. These various manufacturers of auto parts would be considered as “source”, being a “supplier, vendor, or distributor of products”, being the understood meaning of a “source”. Therefore, the J-CON Manual can be reasonably interpreted as teaching of “maintaining at least two product catalogs on a database containing data relating to items associated with respective sources”, as parts data is stored that relates to items associated with respective manufacturing sources.

20. Continuing, on page 30, that Patent Owner argues that the J-CON Manual does not teach of the limitation of “selecting the product catalogs to search”. The examiner notes that the J-CON Manual states on Ch.3, Sec.2, Page 3 that “At “Subgroup”, choose one: Enter numbers for the subgroups you want. Result: J-CON marks each subline you selected with an “>”....”. Thus,

Application/Control Number: 90/008,104

Page 11

Art Unit: 3992

with the groups of parts in each subgroup being considered as “product catalogs” as discussed above, the J-CON Manual is clear to teach of “selecting the product catalogs to search”.

21. Continuing, the Patent Owner argues on pages 30 and 31 that the J-CON Manual does not teach of “searching for matching items among the selected product catalogs”. As seen in Ch.3, Sec.2, Page 1, the J-CON Manual states “When you look up a part with PartFinder, you specify its group and subgroup, as well as the vehicle's year, make, and model, J-CON then displays a list of possible parts and their prices for the customer. You select a part from the list and specify how many you want.” With this, the J-CON Manual is teaching that the system searches and displays parts that match the customer's selections, whereby the selected subgroups, seen as catalogs, are searched.

22. Continuing, the Patent Owner argues on pages 31-33 that the J-CON Manual does not teach of “building a requisition using data relating to selected matching items and their associated source(s)”. The Patent Owner continues on page 32 arguing that the displayed parts list in the J-CON Manual is not a “requisition”, whereby the Patent Owner defines a requisition as a formal request to purchase something. The examiner notes that the current claim language requires “building a requisition”. The Patent Owner describes a “requisition” on pages 23 and 24 as being a formal request to purchase something. However, the term “requisition” comprises numerous definitions. For instance, Merriam Webster's Collegiate Dictionary, tenth edition includes definitions for the term “requisition” as “the act of formally requiring or calling upon someone to perform an action;...the act of requiring something to be furnished;...a written request

Application/Control Number: 90/008,104

Page 12

Art Unit: 3992

for something authorized but not made available automatically;...the state of being in demand or use.” Further, the website dictionary.com includes definitions of the term “requisition” as “an authoritative or formal demand for something to be done, given, supplied, etc.: *The general issued a requisition to the townspeople for eight trucks....*a written request or order for something, as supplies”. Thus, with this, the J-CON Manual is teaching of building an order for parts, whereby as seen in Ch.3, Sec.2, Page 4, the J-CON Manual states “At ‘Selection’, choose one: Enter the number for the part you want. When you finish selecting parts, press <Order Screen> to return to POS...”. Therefore, using a broad and reasonable interpretation us, the J-CON Manual is seen as teaching of “building a requisition using data relating to selected matching items and their associated source(s)”, as currently required.

23. Continuing, the Patent Owner argues on pages 33 and 34 that the J-CON Manual fails to teach of the limitation of “processing the requisition to generate one or more purchase orders for the selected matching items”. As read in Ch. 4, Sec. 4, pages 1-7, the J-CON Manual states “You can set up J-CON to automatically compute POs during EOD. You can also set it to automatically transmit POs to vendors who use A-DIS. The POs can go to primary and alternate vendors, and to other vendors for whom you have set up PO control files in Function 7.7, Add or Edit Vendor Data.” Thus, the J-CON Manual describes a purchase order being generated from the processed request for parts, interpreted as a “requisition”.

Application/Control Number: 90/008,104

Page 13

Art Unit: 3992

24. Continuing, the Patent Owner argues on pages 34 and 35 that the J-CON Manual fails to teach the limitation of “determining whether a selected matching item is available in inventory”. The examiner notes that the J-CON Manual describes in Ch.3, Sec.2, page 6, that the field “AVL: quantity available” is utilized for determining the available inventory. The J-CON Manual states “If the quantity available is less than one, PartFinder looks for a replacement part”. Further, on the same page, the J-CON Manual further states that “J-CON tells you if a part is stocked at the warehouse...” Therefore, each of the limitations of claim 26 can be interpreted as being taught by the J-CON Manual.

25. Regarding dependent *claim 27*, the Patent Owner argues on page 35 that the J-CON Manual fails to teach of the limitation requiring “purchase orders include data relating to a vendor catalog number for the selected matching items”. The examiner notes that the claim currently requires that purchase orders include “data **relating to** a vendor catalog number for the selected matching items”. With this, as seen in Ch.4, Sec.5, Pages 3 and 4, the J-CON Manual shows a sample Purchase Order, whereby part numbers are displayed for a specific vendor. These part numbers for a specific vendor can be considered as “data relating to a vendor catalog number for the selected matching items”.

26. Continuing, regarding *claim 28*, the Patent Owner argues on page 36 that the J-CON Manual further does not teach of the limitations that require “converting data relating to a selected matching item and an associated source to data relating to an item and a different source”. As seen in Ch.3,Sec.2, Page 6, the J-CON Manual states “If the quantity available is

Application/Control Number: 90/008,104

Page 14

Art Unit: 3992

less than one, PartFinder looks for a replacement part.”. Further, the J-CON Manual states on Ch.3,Sec.2, Page 11 within the “Alternate Parts” section, that “J-CON usually displays an alternate part in PartFinder only if you’re out of the original part.”. Continuing in Ch.3,Sec.4, Page 1, the J-CON Manual states “InterChange is an optional product that you use to find an equivalent (or InterChange) part for a competitive part. You start InterChange from POS or from PartFinder.”. With this, the J-CON Manual teaches of converting the selected data from a particular source to another alternate part from a different source, which is interpreted as a different manufacturer of the part. The alternate part is from an alternate supplier, being a different source, as opposed to Patent Owner’s interpreted “J-CON System retailer’s stock”.

27. Regarding dependent *claims 29 and 30*, the Patent Owner argues on pages 37 and 38 that the J-CON Manual fails to teach of “determining whether a selected matching item is available in inventory” as well as “determining the applicable price of a selected matching item”. As noted above in the discussion of claim 26, the J-CON Manual describes “determining whether a selected matching item is available in inventory.” Further, the J-CON Manual can be interpreted as teaching the step of determining the applicable price of a selected matching item. Particularly, in Ch.3,Sec.2, Page 4, the J-CON Manual states “If you have PartSource and want J-CON to display prices for parts not in your JIF, press <Prices>. Result: J-CON displays the prices.”. With this, the J-CON system displays a determined applicable price for a selected part. The Patent Owner argues that the inventory checking function and the purchase order creation process described in Ch. 3 and Ch. 4 of the J-CON Manual are unrelated, and a price determination that is required in claim 30 is different that what is described in the J-CON Manual

Application/Control Number: 90/008,104

Page 15

Art Unit: 3992

because it cannot be used with purchase order creation, as prices must appear in a purchase order for the purchase order to be valid. The examiner notes that the J-CON Manual shows sample built purchase orders on Ch.4, Sec.5, Pages 3 and 4, whereby the purchase order displays a determined applicable unit price. This displaying of an applicable price for the item can be considered as “determining the applicable price”.

28. Regarding **claim 32**, the Patent Owner argues on page 39 that the J-CON Manual fails to teach the limitation requiring “the purchase orders use data relating to at least two sources”. As seen in Ch.4, Sec.5, Pages 3 and 4, the J-CON Manual teaches that the purchase orders are using data from at least two vendors, being interpreted as the at least two sources of the parts. As described above in the discussion of claim 26, the sources can be reasonably interpreted as being the various manufacturers of parts that are included in the groups and subgroups. This is shown in Ch.3, App.A, Page 13, whereby the J-CON Manual describes “primary and alternate manufacturers”.

29. Therefore, the J-CON Manual is still seen to teach each of the limitations required by claims 26-45, as currently written. Therefore the rejection of claims 26-45 under 35 U.S.C. 102(a), as cited in the previous Office action dated 2/29/2008, as being anticipated by the J-CON Manual, is maintained and repeated in this Office action.

Application/Control Number: 90/008,104
Art Unit: 3992

Page 16

With respect to the Patent Owner arguments regarding the SABRE Guide:

30. On page 43, the Patent Owner argues that the SABRE Guide fails to teach of “maintaining at least two product catalogs on a database containing data relating to items associated with the respective sources”. The examiner notes that in page 2 of the SABRE Guide, each of the carriers’ would provide their individual flight schedules. Each carrier’s flights would be considered as their catalog of flights. Thus, SABRE Guide is seen as maintaining at least two product catalogs on a database containing data relating to items associated with the respective sources”.

31. Continuing, the Patent Owner argues that the SABRE Guide fails to teach the limitation requiring “selecting the product catalogs to search and searching for matching items among the selected product catalogs”. As noted above, the SABRE Guide describes various carriers’ having their catalog of flights. With this, the SABRE Guide teaches that a query is issued that searches available flights for a customer. Further, the SABRE Guide teaches that a particular carrier can also be selected to limit the query. Thus, the SABRE Guide can be interpreted in a broad and reasonable manner to teach of “selecting the product catalogs to search and searching for matching items among the selected product catalogs”. Further, the examiner notes that the query described in the SABRE Guide further teaches the next limitation that requires “searching for matching items among the selected product catalogs”.

Application/Control Number: 90/008,104

Page 17

Art Unit: 3992

32. Continuing, on page 45, the Patent Owner argues that the SABRE Guide fails to teach of the limitation of “building a requisition using the data relating to selected matching items and their associated source(s)”, whereby the Patent Owner argues that the passenger name record (PNR) would not be equivalent to a requisition, since the PNR is used by the SABRE system to “hold”, and not actually buy an itinerary from a carrier. Further, the Patent Owner argues that a requisition is document that is internal to the purchasing organization, and the SABRE Guide describes the PNR as interacting with the source or carrier to reserve airline seats. The examiner notes that the current claim language does not require that the requisition cannot interact with the source or carrier.

33. Rather, the claim requires building a “requisition”. As described above with respect to the J-CON Manual, the examiner notes that the term “requisition” comprises numerous definitions. Thus, the term “requisition” is not required to be internal to the purchasing organization, nor is the term “requisition” required to “actually buy the itinerary from a carrier”. While the definition supplied by the Patent Owner of the term “requisition” certainly is seen and understood, the term can be also reasonably interpreted as being “an order for something”. The SABRE Guide is clear that the PNR is an order for tickets, which is not made available automatically, but rather waits for the customer to order the airline tickets.

34. Continuing, on page 46, the Patent Owner continues arguing that he SABRE Guide fails to teach of “processing the requisition to generate one or more purchase orders for the selected matching items”. The finalized record of the PNR after it has been completed by the customer is

Application/Control Number: 90/008,104
Art Unit: 3992

Page 18

transmitted directly to a carrier's central computer for permanent storage. This transmittal can be interpreted as a "purchase order". The Patent Owner continues arguing on page 47 that the finalized PNR is not a purchase order because it does not possess the characteristics of a purchase order, as the Patent Owner defines a purchase order as "a contractual document prepared by a buyer committing to buy something from a seller". While this definition is understood, the term "purchase order" can be broadly and reasonably interpreted as being the finalized PNR.

35. Continuing, the Patent Owner argues on page 47 that the SABRE Guide fails to teach of "determining whether a selected matching item is available in inventory", whereby the Patent Owner argues that the timing of the SABRE system of this determination occurs as a precursor to making a travel reservation, as opposed to the current invention, which requires a confirmation that a desired product is available after the purchase order is generated, so that if the product is available, the purchase order is issued to that source. The examiner notes that the current claim language does not require this. Further, the exact timing of the occurrence of determining if an item is in inventory is not claimed. If the Patent Owner wishes that this timing be considered, then the current claim language should be amended accordingly.

36. Regarding dependent *claim 27*, the Patent Owner argues on pages 48 and 49 that the SABRE Guide fails to teach of the limitation requiring "purchase orders include data relating to a vendor catalog number for the selected matching items". The examiner notes that the claim currently requires that purchase orders include "data **relating to** a vendor catalog number for the

Application/Control Number: 90/008,104

Page 19

Art Unit: 3992

selected matching items”. With this, as seen in pages 10 and 11, the PNR contains the “Carrier and flight number”, “Class of service”, “Date of departure”, and “Day of week code”, whereby this data can be collectively considered as “data relating to a vendor catalog number”.

37. Continuing, regarding *claim 28*, the Patent Owner argues on page 49 that the SABRE Guide further does not teach of the limitations that require “converting data relating to a selected matching item and an associated source to data relating to an item and a different source”. As seen in page 64, the SABRE Guide states “If the class of service requested is sold out, SABRE displays a city pair availability for alternate flights....the requested class, Y, is sold out and the wait list is open. SABRE is displaying six alternate flights for the travel date, city pair, and departure time 11:45 am of the original flight that was requested.”. Further as read in page 2, “SABRE maintains a vast amount of current information. For example, it stores: Flight schedules for more than 680 worldwide carriers...Hotel descriptions and prices for more than 17,000 properties throughout the world”. Thus, the SABRE Guide is clear that alternate flights are searched, which include “more than 680 worldwide carriers”, therein being “data relating to an item and a different source”, as currently claimed.

38. Regarding dependent *claims 29 and 30*, the Patent Owner argues on page 50 that the SABRE Guide fails to teach of “determining whether a selected matching item is available in inventory” as well as “determining the applicable price of a selected matching item”. As noted above in the discussion of claim 26, the SABRE Guide describes “determining whether a selected matching item is available in inventory.” Further, the SABRE Guide can be interpreted

Application/Control Number: 90/008,104

Page 20

Art Unit: 3992

as teaching the step of determining the applicable price of a selected matching item. Particularly, on page 279, the SABRE Guide states that “Itinerary pricing enables the travel agent to display the fare for a PNR that is currently in the computer’s working area...SABRE “reads” the flight information in the itinerary and displays the base fare, tax, and total amounts based on the city pair, travel date, and class of service.” This can be considered as “determining the applicable price”. The Patent Owner argues that the “pricing described on page 279 is not the correct or accurate pricing due to the “Guaranteed Fare Rule”. However, “accurate pricing” is not currently required in the current claim language. If the Patent Owner desires this feature to be considered, then the claim must be amended accordingly.

39. Regarding *claim 32*, the Patent Owner argues on page 51 that the SABRE Guide fails to teach the limitation requiring “the purchase orders use data relating to at least two sources”. The SABRE Guide states on page 2 that “SABRE maintains a vast amount of current information. For example, it stores: Flight schedules for more than 680 worldwide carriers...Hotel descriptions and prices for more than 17,000 properties throughout the world”. Thus, the SABRE Guide is clear that “schedules for more than 680 worldwide carriers” are stored, therein being “data relating to at least two sources”, as currently claimed.

40. Therefore, the SABRE Guide is still seen to teach each of the limitations required by claims 26-45, as currently written. Therefore the rejection of claims 26-45 under 35 U.S.C. 102(b), as cited in the previous Office action dated 2/29/2008, as being anticipated by the SABRE Guide, is maintained and repeated in this Office action.

Application/Control Number: 90/008,104

Page 21

Art Unit: 3992

With respect to the Patent Owner arguments regarding the P.O. Writer Manual:

41. The Patent Owner argues that the P.O. Writer Manual does not teach of “maintaining at least two product catalogs on a database containing data relating to items associated with respective sources”. On page 22, the P.O. Writer Manual describes selecting from the Best Buy catalog, as well as the Bayless catalog, “or any other vender you would like to select”. Thus, the P.O. Writer Manual teaches of “maintaining at least two product catalogs”. Continuing, the Patent Owner argues that the P.O. Writer Manual does not teach of “selecting the product catalogs to search”. However, as noted above, in page 22, the P.O. Writer Manual states “You can now buy this item from Best Buy, Bayless, or any other vendor you would like to select.”. Continuing, the Patent Owner argues on page 55 that the P.O. Writer Manual fails to teach of “searching for matching items among the selected product catalogs”. The P.O. Writer Manual states on page 46 that “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”; also see page 47, wherein “There are 3 items in the Bayless catalogue whose descriptions begin with the letter P.” These sections teach that the selected catalogs are searched for matching items. The Patent Owner argues that the P.O. Writer Manual does not teach of “building a requisition using data related to selected matching items and their associated source(s)”. The P.O. Writer Manual teaches on page 47 that an order is created based on the matching items, whereby this order can be interpreted as a requisition. This is further taught on pages 117-147, where the P.O. Writer Manual expressly states that requisitions are built.

Application/Control Number: 90/008,104

Page 22

Art Unit: 3992

42. The Patent Owner further argues that the P.O. Writer Manual does not teach of “processing the requisition to generate one or more purchase orders for the selected matching items”. The examiner notes that on page 149, the P.O. Writer Manual states “The REQUISITIONING INTERFACE allows you to turn purchase Requisitions into Purchase Orders quickly and easily. Requisitions can be automatically consolidated onto one Purchase Order.”. The Patent Owner argues on page 58 that the processing of converting requisitions into purchase orders is “wholly different from what is required by claim 26 because the information does not include the information about the sources associated with the included line items.” First, the examiner notes that the current claim language does not require the requisition to include “the information about the sources associated with the included line items.” Further, on page 152 of the P.O. Writer Manual, the highlighted portion displays the “selected vendor”, such as “Bayless”. This is considered as information about the source.

43. Continuing, the Patent Owner argues on page 58 that the P.O. Writer Manual does not teach the limitation of “determining whether a selected matching item is available in inventory”. The examiner notes that on page 102, the P.O. Writer Manual states that “The Inventory Control Module allows you to track on-hand inventory balances and report usage history, and automatically generate Re-order Analysis as often as you like.” Further on page 103, the P.O. Writer Manual states that “The P.O. WRITER PLUS Inventory Control Module allows you to specify those items you would like to track in Inventory.” The Patent Owner argues that the claim requires that the inventory checking recited in the limitation refers to determining whether the selected items are available for purchase from a supplier by virtue of their being on-hand in

Application/Control Number: 90/008,104

Page 23

Art Unit: 3992

the supplier's inventory. The examiner notes that the current claim language does not require this, and if the Patent Owner desires that the inventory checking step be explicitly utilized for determining if items are available for purchase, then the claim must be amended accordingly. The Patent Owner additionally describes portions in the specification of the '683 Patent that describe this inventory checking step. However, it is improper to import limitations described in the specification into the claim language.

44. Regarding dependent *claim 27*, the Patent Owner argues on page 59 that the P.O. Writer Manual fails to teach of the limitation requiring "purchase orders include data relating to a vendor catalog number for the selected matching items". The Patent Owner further argues that because the purchase order items are not associated with a source, the manufacturer's part numbers could apply to any catalog that sells respective manufacturer's products. However, as noted above, claim 27 currently requires that purchase orders include "data **relating to** a vendor catalog number for the selected matching items". As seen in the sample Purchase Order on pages 43 and 44, Vendor ID numbers are shown. Further, the Purchase Order also includes Item Numbers for the various selected items. This data can be considered as "data **relating to** a vendor catalog number". Additionally, as read on page 131, the P.O. Writer Manual states "Items from a specific catalog can be displayed by entering a Catalogue ID at the top of the screen.". Thus, the P.O. Writer Manual is seen to have a purchase order that includes data that is related to a vendor catalog number. As the Patent Owner admits "the manufacturer's part numbers could apply to any catalog that sells respective manufacturer's products", therein the data can be "relating to a vendor catalog number", as currently required in the claim language.

Application/Control Number: 90/008,104
Art Unit: 3992

Page 24

45. Continuing, regarding *claim 28*, the Patent Owner argues on page 60 that the P.O. Writer Manual further does not teach of the limitations that require “converting data relating to a selected matching item and an associated source to data relating to an item and a different source”. Further, the Patent Owner continues that the “claim language is clearly stating that a different source is being selected - the source is being replaced with another source”, as opposed to the P.O. Writer Manual’s teachings of “only selecting a source, not converting data related to one source to a different source”. However, as seen on pages 21-23, data concerning the selected matching item of “A1000” from the source of “Bayless” is converted to a different source of “Best Buy”, albeit manually, as the P.O. Writer Manual states on page 22 that “In the Vendor Number field, type 12345” and on page 23 that “All you have to do is change the appropriate fields and your done”. Thus, the P.O. Writer Manual is seen as teaching of “converting data relating to a selected matching item and an associated source to data relating to an item and a different source”, as currently required in the claim language.

46. Regarding dependent *claims 29 and 30*, the Patent Owner argues on page 61 that the P.O. Writer Manual fails to teach of “determining whether a selected matching item is available in inventory” as well as “determining the applicable price of a selected matching item”. As noted above in the discussion of claim 26, the P.O. Writer Manual describes “determining whether a selected matching item is available in inventory.” Continuing, the Patent Owner argues that the Price Analysis report taught by the P.O. Writer Manual is “an after-the-fact report, totally unrelated to determining the pricing for selected matching items at the time they are selected during the process of building requisitions and/or generating purchase orders.” However, the

Application/Control Number: 90/008,104

Page 25

Art Unit: 3992

examiner notes that claim 30 only requires “determining an applicable price” and does not specifically require this being done “at the time they are selected during the process of building requisitions and purchase orders”, as argued. If the Patent Owner wishes this feature to be considered in the interpretation of the claim, then the claim should be amended accordingly. As seen on page 71, the P.O. Writer Manual teaches of “PRICE ANALYSIS – shows all P.O.’s, compare actual to standard cost, calculates variances, and average and actual prices.”, therein teaching of “determining a applicable price”.

47. Regarding *claim 32*, the Patent Owner argues on page 62 that the P.O. Writer Manual fails to teach the limitation requiring “the purchase orders use data relating to at least two sources”. On page 22, the P.O. Writer Manual describes selecting from the Best Buy catalog, as well as the Bayless catalog, “or any other vender you would like to select”. In this interpretation, the source of the selected items is “Best Buy”, “Bayless”, “or any other vendor”. Thus, the purchase orders are seen to “use data relating to at least two sources”, as currently required in the claim language.

48. Therefore, the P.O. Writer Manual is still seen to teach each of the limitations required by claims 26-45, as currently written. Therefore the rejection of claims 26-45 under 35 U.S.C. 102(a), as cited in the previous Office action dated 2/29/2008, as being anticipated by the P.O. Writer Manual, is maintained and repeated in this Office action.

Application/Control Number: 90/008,104

Page 26

Art Unit: 3992

With respect to the Patent Owner arguments regarding the Gateway 2000/MRO Manual:

49. Continuing, the Patent Owner argues that the Gateway 2000/MRO Manual fails to teach of the limitation of “maintaining at least two product catalogs on a database containing data relating to items associated with the respective sources”. The Patent Owner continues arguing on page 66 that the term “catalog” would include “pricing”, as “pricing is an essential (i.e., non-optional) attribute of any catalog.” The examiner notes that the catalog that includes “pricing” is not currently required in the current claim language. If the Patent Owner wishes the claims to have this feature considered, then the claim must be amended to include “pricing”. The Patent Owner argues that the Gateway 2000/MRO Manual fails to teach of “selecting the product catalogs to search”. The Patent Owner continues that the Gateway 2000/MRO Manual does not have the ability to select more than one catalog to be searched. The examiner notes that on page 4-19, the Gateway 2000/MRO Manual states “When a catalog is selected, the items listed in that catalog will be displayed...The system will return for another selection. Repeat this process for each item required.” As further seen on page 4-18, “Catalogs can be created for any group of commonly ordered items and used repeatedly throughout requisition and PO processing.” Thus, the Gateway 2000/MRO Manual allows for catalogs to be selected, albeit, one at a time. However, the current claim language does not require concurrent selection of multiple catalogs, as argued. If the Patent Owner wishes this feature to be considered in interpreting the current claim language, then the claim must be amended accordingly.

Application/Control Number: 90/008,104

Page 27

Art Unit: 3992

50. Continuing, the Patent Owner argues that the Gateway 2000/MRO Manual fails to teach of “searching for matching items among the selected product catalogs”. First, the examiner notes that the current claim language could be interpreted to mean that a user manually performs the “searching for matching items”. With this, as read on page 4-19, “To choose from a catalog position the lightbar to the desired item and press enter.” Thus, in this, the user is searching for matching items to select. Continuing, the examiner notes that on page 4-19, the Gateway 2000/MRO Manual additionally states “Upon selection of all items, the system will display all the selected items.” Thus, the system would inherently search for the selected items and then display them.

51. Continuing, the Patent Owner argues that the Gateway 2000/MRO Manual fails to teach of “building a requisition using data related to selected matching items and their associated sources”. As seen in the text of pages 4-20 and 4-20, a requisition is built, having various variables, which is shown in the figure on page 4-22, 4-27, as well as on page 4-33. The Patent Owner further argues that the requisition shown on page 4-33 is there an indication of associated sources for the selected matching items. The examiner notes that as the claims are currently worded, the claim only requires “building a requisition using data relating to selected matching items and their associated sources.” The requisition seen on page 4-33 includes data that relates to selected matching items and their associated source, being the item number and the data in the description. The current claim language does not require that the “associated source” is included in the requisition, but rather a requisition is built using data that relates to the selected items and their source.

Application/Control Number: 90/008,104

Page 28

Art Unit: 3992

52. Continuing, the Patent Owner argues that the Gateway 2000/MRO Manual fails to teach of “processing the requisition to generate one or more purchase orders for the selected matching items”. The examiner notes that on page 6-3, the Gateway 2000/MRO Manual states “If a requisition has already been entered, the data from the requisition will move forward into the purchase order automatically.”. This processing of the requisition is seen with the requisition and purchase order seen on pages 4-33 and 6-35, respectively. The Patent Owner points out that the two figures do not include vender information. However, the current language does not require that source information be generated into the purchase order. If the Patent Owner wishes these features to be considered, then the claims must be amended accordingly. Continuing, the Patent Owner argues that the Gateway 2000/MRO Manual fails to teach of “determining whether a selected matching item is available in inventory”. The examiner notes that as read on page 4-17, the Gateway 2000/MRO Manual states “If a stock item is not on file, the message “item not found” will be displayed, and the message “item not on file, add new item now (Y/N)” will be displayed.” This shows that a user can check if a selected item is on file, which can be considered as “in inventory”.

53. Regarding dependent *claim 27*, the Patent Owner argues on pages 72 and 73 that the Gateway 2000/MRO Manual fails to teach of the limitation requiring “purchase orders include data relating to a vendor catalog number for the selected matching items”. However, as noted above, claim 27 currently requires that purchase orders include “data **relating to** a vendor catalog number for the selected matching items”. On page 6-35, the Gateway 2000/MRO Manual shows a sample purchase order, whereby a “Description” is included as having a

Application/Control Number: 90/008,104

Page 29

Art Unit: 3992

description of an item and a model number, which can be considered as “data relating to a vendor catalog number for selected matching items”. The Patent Owner further argues that the purchase order described on page 6-35 “has no relationship to any catalog selection and/or searching”. As described above with respect to claim 26, the Gateway 2000/MRO Manual states on page 4-19, that “When a catalog is selected, the items listed in that catalog will be displayed...The system will return for another selection. Repeat this process for each item required.” As further seen on page 4-18, “Catalogs can be created for any group of commonly ordered items and used repeatedly throughout requisition and PO processing.” Thus, the Gateway 2000/MRO Manual allows for catalogs to be selected, albeit, one at a time. However, the current claim language does not require concurrent selection of multiple catalogs, as argued. If the Patent Owner wishes this feature to be considered in interpreting the current claim language, then the claim must be amended accordingly. Further, as read on page 4-19, the Gateway 2000/MRO Manual states “To choose from a catalog position the lightbar to the desired item and press enter.” Thus, in this, the user is searching for matching items to select. Continuing, the examiner notes that on page 4-19, the Gateway 2000/MRO Manual additionally states “Upon selection of all items, the system will display all the selected items.” Thus, the system would inherently search for the selected items and then display them. Therefore, on page 6-35, the Gateway 2000/MRO Manual is seen as teaching that “purchase orders include data relating to a vendor catalog number for the selected matching items”.

54. Continuing, regarding **claim 28**, the Patent Owner argues on pages 73 and 74 that the Gateway 2000/MRO Manual further does not teach of the limitations that require “converting

Application/Control Number: 90/008,104

Page 30

Art Unit: 3992

data relating to a selected matching item and an associated source to data relating to an item and a different source”. Further, the Patent Owner argues that the modification of fields described on pages 4-26 and 4-28, “deal with modifying fields in the requisition”, as the “purchase order has not yet been created”, therein being out of sequence with the steps of claim 26. However, the examiner notes that the claimed order of the limitations is not required to be in that specific order, as argued by the Patent Owner.

55. In this regard MPEP 2111.01 [R-5] states in part:

Altiris Inc. v. Symantec Corp., 318 F.3d 1363, 1371, 65 USPQ2d 1865, 1869-70 (Fed. Cir. 2003) (Although the specification discussed only a single embodiment, the court held that it was improper to read a specific order of steps into method claims where, as a matter of logic or grammar, the language of the method claims did not impose a specific order on the performance of the method steps, and the specification did not directly or implicitly require a particular order).

56. Thus, in the instant case, there is no requirement in the current claim language that the converting step occurs after a purchase order is generated. Particularly, the claim states “converting data relating to a selected matching item and an associated source to data relating to an item and a different source”. Nothing in this limitation states or requires that the converting is to occur after the purchase order is generated. If the Patent Owner wishes that this feature be considered, then the claim must be amended accordingly.

57. Continuing, the Patent Owner argues that there is no teaching that the system performs any conversion, as the conversion must be entered manually. However, as the claims are

Application/Control Number: 90/008,104

Page 31

Art Unit: 3992

currently worded, there is no specific requirement that the “converting” is an automatic conversion done automatically by a system. If the Patent Owner wishes that this feature be considered, then the claim must be amended accordingly.

58. As seen on pages 4-26 through 4-28, the Gateway 2000/MRO Manual describes a “Requisition Maintenance” function, and states that “Any field (other than the requisition number) can be changed through requisition maintenance.” With this, the “Requisition Maintenance” function allows for converting data relating to a selected matching item to data relating to an item and a different source, as a primary vendor can be changed to a secondary vendor, with both being seen on page 12-3, by converting the vendor ID numbers, seen on page 4-27, as well as on pages 4-8 and 4-9.

59. Regarding dependent *claims 29 and 30*, the Patent Owner argues on page 75 that the Gateway 2000/MRO Manual fails to teach of “determining whether a selected matching item is available in inventory” as well as “determining the applicable price of a selected matching item”. As noted above in the discussion of claim 26, the Gateway 2000/MRO Manual describes “determining whether a selected matching item is available in inventory.” Continuing, the Patent Owner argues that the Gateway 2000/MRO Manual does not teach of the system being able to recognize or use any applicable price for an item. As described by the Patent Owner, the Gateway 2000/MRO Manual teaches on page 4-8 that prices are entered into the system and can compute sales tax on those prices. This effectively can be interpreted as teaching “determining the applicable price of a selected matching item”, as the applicable price for the specific item is

Application/Control Number: 90/008,104

Page 32

Art Unit: 3992

calculated to include sales tax. If the Patent Owner wishes to further define the term “applicable price”, then the claim must be amended accordingly.

60. Regarding *claim 32*, the Patent Owner argues on page 76 that the Gateway 2000/MRO Manual fails to teach the limitation requiring “the purchase orders use data relating to at least two sources”. The Gateway 2000/MRO Manual teaches on page 15-42 that the purchase orders use data relating to at least two sources, wherein “The GATEWAY 2000/MRO ...System provides a capability to define and store vendor catalogues that can be used for selection during PO entry.” Thus, the using of “vendor catalogues” therein allows that the “purchase orders use data relating to at least two sources”, as currently claimed.

61. Therefore, the Gateway 2000/MRO Manual is still seen to teach each of the limitations required by claims 26-45, as currently written. Therefore the rejection of claims 26-45 under 35 U.S.C. 102(b), as cited in the previous Office action dated 2/29/2008, as being anticipated by the Gateway 2000/MRO Manual, is maintained and repeated in this Office action.

Application/Control Number: 90/008,104
Art Unit: 3992

Page 33

Claim Rejections - 35 USC § 102

62. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

63. **Claims 26-45** are rejected under 35 U.S.C. 102(a) as being anticipated by “J-CON Manual, Volume 1”, authored by Cooperative Computing, Inc., having a date of April 1994, noted in the Request for Reexamination as Exhibit B-1 (hereafter “the J-CON Manual”).

Regarding **claim 26**, the J-CON Manual discloses a method comprising the steps of:
maintaining at least two product catalogs on a database containing data relating to items associated with the respective sources [see Ch.3, Sec.5, Page 1, whereby the PartFinder catalog includes at least two product catalogs from different manufacturers, see Ch.3, Sec.2, Page 11, being “Primary and Alternate Manufacturers”];

selecting the product catalogs to search [see Ch.3, Sec.2, Page 3, wherein “At “Subgroup”, choose one: Enter numbers for the subgroups you want. Result: J-CON marks each subline you selected with an “>”....”; also see Ch.3, Sec.2, Page 11, whereby “At the MANUFACTURERS field, enter the numbers of the manufacturers for which you want part information.”];

searching for matching items among the selected product catalogs [Ch.3, Sec.2, Page 1, wherein “When you look up a part with PartFinder, you specify its group and subgroup, as well as the vehicle's year, make, and model, J-CON then displays a list of possible parts and their prices for the customer. You select a part from the list and specify how many you want.” With

Application/Control Number: 90/008,104
Art Unit: 3992

Page 34

this, J-CON is teaching that the system searches and displays parts that match the customer's selections];

building a requisition using data relating to selected matching items and their associated source(s) [see Ch.3,Sec.2, Page 4, wherein "At 'Selection', choose one: Enter the number for the part you want. When you finish selecting parts, press <Order Screen> to return to POS..."];

processing the requisition to generate one or more purchase orders for the selected matching items [see Ch.4, Sec.3, Page 1, and Ch. 4, Sec. 4, pages 1-7, wherein "You can set up J-CON to automatically compute POs during EOD. You can also set it to automatically transmit POs to vendors who use A-DIS. The POs can go to primary and alternate vendors, and to other vendors for whom you have set up PO control files in Function 7.7, Add or Edit Vendor Data."]; and

determining whether a selected matching item is available in inventory [Ch.3, Sec.2, Pages 6 and 10, whereby on page 6, the field "AVL: quantity available" is utilized for determining the available inventory, and whereby on page 10, "Not Found (NF) Parts" are described; also see Ch.2, Sec.10, Page 15].

Regarding *claim 27*, the J-CON Manual discloses the method discussed above in claim 26, and further teaches that the purchase orders include data relating to a vendor catalog number for the selected matching items [see Ch.2, Sec.10, Pages 8 and 9, whereby J-CON displays the "part number", the "warehouse number", and the "part's manufacturer code"; also see sample Purchase Order in Ch.4, Sec.5, Page 4].

Application/Control Number: 90/008,104

Page 35

Art Unit: 3992

Regarding **claim 28**, the J-CON Manual discloses a method comprising the steps of:

maintaining at least two product catalogs on a database containing data relating to items associated with the respective sources [see Ch.3, Sec.5, Page 1, whereby the PartFinder catalog includes at least two product catalogs from different manufacturers, see Ch.3, Sec.2, Page 11, being “Primary and Alternate Manufacturers”];

selecting the product catalogs to search [see Ch.3, Sec.2, Page 3, wherein “At “Subgroup”, choose one: Enter numbers for the subgroups you want. Result: J-CON marks each subline you selected with an “>”....”; also see Ch.3,Sec.2, Page 11, whereby “At the MANUFACTURERS field, enter the numbers of the manufacturers for which you want part information.”];

searching for matching items among the selected product catalogs [Ch.3, Sec.2, Page 1, wherein “When you look up a part with PartFinder, you specify its group and subgroup, as well as the vehicle's year, make, and model, J-CON then displays a list of possible parts and their prices for the customer. You select a part from the list and specify how many you want.” With this, J-CON is teaching that the system searches and displays parts that match the customer’s selections];

building a requisition using data relating to selected matching items and their associated source(s) [see Ch.3,Sec.2, Page 4, wherein “At ‘Selection’, choose one: Enter the number for the part you want. When you finish selecting parts, press <Order Screen> to return to POS...”];

processing the requisition to generate one or more purchase orders for the selected matching items [see Ch.4, Sec.3, Page 1, and Ch. 4, Sec. 4, pages 1-7, wherein “You can set up J-CON to automatically compute POs during EOD. You can also set it to automatically transmit

Application/Control Number: 90/008,104

Page 36

Art Unit: 3992

POs to vendors who use A-DIS. The POs can go to primary and alternate vendors, and to other vendors for whom you have set up PO control files in Function 7.7, Add or Edit Vendor Data.”]; and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see Ch.3,Sec.2, Page 11, whereby within the “Alternate Parts” section, “J-CON usually displays an alternate part in PartFinder only if you’re out of the original part.”; also see Ch.3,Sec.4, Pages 1-5, whereby on page 1, “InterChange is an optional product that you use to find an equivalent (or InterChange) part for a competitive part. You start InterChange from POS or from PartFinder.”].

Regarding *claim 29*, the J-CON Manual discloses the method discussed above in claim 28, and further teaches of the step of determining whether a selected matching item is available in inventory [Ch.3, Sec.2, Pages 6 and 10, whereby on page 6, the field “AVL: quantity available” is utilized for determining the available inventory, and whereby on page 10, “Not Found (NF) Parts” are described; also see Ch.2, Sec.10, Page 15].

Regarding *claim 30*, the J-CON Manual discloses the method discussed above in claim 28, and further teaches of the step of determining the applicable price of a selected matching item [see Ch.3,Sec.2, Page 4, whereby “If you have PartSource and want J-CON to display prices for parts not in your JIF, press <Prices>. Result: J-CON displays the prices.”; also see Ch.3, Sec.2, Page 6].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 37

Regarding *claim 31*, the J-CON Manual discloses a method comprising the steps of:
maintaining a database containing data relating to items associated with at least two sources [see Ch.3, Sec.5, Page 1, whereby the PartFinder catalog includes at least two product catalogs from different manufacturers, see Ch.3, Sec.2, Page 11, being “Primary and Alternate Manufacturers”];

searching for matching items among the data relating to the items [Ch.3, Sec.2, Page 1, wherein “When you look up a part with PartFinder, you specify its group and subgroup, as well as the vehicle's year, make, and model, J-CON then displays a list of possible parts and their prices for the customer. You select a part from the list and specify how many you want.” With this, J-CON is teaching that the system searches and displays parts that match the customer's selections];

building a requisition using data relating to selected matching items and their associated sources [see Ch.3, Sec.2, Page 4, wherein “At ‘Selection’, choose one: Enter the number for the part you want. When you finish selecting parts, press <Order Screen> to return to POS...”];

processing the requisition to generate purchase orders using data relating to the selected matching items and their associated source(s) [see Ch.4, Sec.3, Page 1, and Ch. 4, Sec. 4, pages 1-7, wherein “You can set up J-CON to automatically compute POs during EOD. You can also set it to automatically transmit POs to vendors who use A-DIS. The POs can go to primary and alternate vendors, and to other vendors for whom you have set up PO control files in Function 7.7, Add or Edit Vendor Data.”]; and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see Ch.3, Sec.2, Page 11, whereby within the

Application/Control Number: 90/008,104

Page 38

Art Unit: 3992

“Alternate Parts” section, “J-CON usually displays an alternate part in PartFinder only if you’re out of the original part.”; also see Ch.3, Sec.4, Pages 1-5, whereby on page 1, “InterChange is an optional product that you use to find an equivalent (or InterChange) part for a competitive part. You start InterChange from POS or from PartFinder.”].

Regarding **claim 32**, the J-CON Manual discloses the method discussed above in claim 31, and further teaches that the purchase orders use data relating to at least two sources [see Ch.3, Sec.5, Page 1, whereby the PartFinder catalog includes at least two product catalogs from different manufacturers; also see Ch.2, Sec.10, Page 8, whereby the Warehouse Inquiry screen displays parts from different manufacturers; also see the sample Purchase Orders in Ch.4, Sec.5, Pages 3 and 4].

Regarding **claim 33**, the J-CON Manual discloses the method discussed above in claim 31, and further teaches that the purchase orders use data relating to catalog numbers [see Ch.2, Sec.10, Pages 8 and 9, whereby J-CON displays the “part number”, the “warehouse number”, and the “part’s manufacturer code”; also see sample Purchase Orders in Ch.4, Sec.5, Pages 3 and 4].

Regarding **claim 34**, the J-CON Manual discloses the method discussed above in claim 31, and further teaches of the step of determining whether a selected matching item is available in inventory [Ch.3, Sec.2, Pages 6 and 10, whereby on page 6, the field “AVL: quantity

Application/Control Number: 90/008,104

Page 39

Art Unit: 3992

available” is utilized for determining the available inventory, and whereby on page 10, “Not Found (NF) Parts” are described; also see Ch.2, Sec.10, Page 15].

Regarding *claim 35*, the J-CON Manual discloses the method discussed above in claim 31, and further teaches of the step of determining the applicable price of a selected matching item [see Ch.3,Sec.2, Page 4, whereby "If you have PartSource and want J-CON to display prices for parts not in your JIF, press <Prices>. Result: J-CON displays the prices."; also see Ch.3, Sec.2, Page 6].

Regarding *claim 36*, the J-CON Manual discloses a method comprising the steps of:
maintaining a database containing at least two product catalogs containing data relating to items associated with the respective sources [see Ch.3, Sec.5, Page 1, whereby the PartFinder catalog includes at least two product catalogs from different manufacturers, see Ch.3, Sec.2, Page 11, being “Primary and Alternate Manufacturers”];

searching for matching items among the product catalogs [Ch.3, Sec.2, Page 1, wherein “When you look up a part with PartFinder, you specify its group and subgroup, as well as the vehicle's year, make, and model, J-CON then displays a list of possible parts and their prices for the customer. You select a part from the list and specify how many you want.” With this, J-CON is teaching that the system searches and displays parts that match the customer's selections];

building a requisition that includes a first matching item and a second matching item, each from a different product catalog [see Ch.3,Sec.2, Page 4, wherein “At ‘Selection’, choose

Application/Control Number: 90/008,104

Page 40

Art Unit: 3992

one: Enter the number for the part you want. When you finish selecting parts, press <Order Screen> to return to POS...”];

processing the requisition to generate purchase orders for the first and the second matching items [see Ch.4, Sec.3, Page 1, and Ch. 4, Sec. 4, pages 1-7, wherein “You can set up J-CON to automatically compute POs during EOD. You can also set it to automatically transmit POs to vendors who use A-DIS. The POs can go to primary and alternate vendors, and to other vendors for whom you have set up PO control files in Function 7.7, Add or Edit Vendor Data.”]; and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see Ch.3,Sec.2, Page 11, whereby within the “Alternate Parts” section, “J-CON usually displays an alternate part in PartFinder only if you’re out of the original part.”; also see Ch.3,Sec.4, Pages 1-5, whereby on page 1, “InterChange is an optional product that you use to find an equivalent (or InterChange) part for a competitive part. You start InterChange from POS or from PartFinder.”].

Regarding *claim 37*, the J-CON Manual discloses the method discussed above in claim 36, and further teaches that a first purchase order uses data relating to the first matching item and a second purchase order uses data relating to the second matching catalog item [see Ch.3, Sec.5, Page 1, whereby the PartFinder catalog includes at least two product catalogs from different manufacturers; also see Ch.2, Sec.10, Page 8, whereby the Warehouse Inquiry screen displays parts from different manufacturers; also see the sample Purchase Orders in Ch.4, Sec.5, Pages 3 and 4].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 41

Regarding **claim 38**, the J-CON Manual discloses the method discussed above in claim 36, and further teaches of the step of determining whether a selected matching item is available in inventory [Ch.3, Sec.2, Pages 6 and 10, whereby on page 6, the field “AVL: quantity available” is utilized for determining the available inventory, and whereby on page 10, “Not Found (NF) Parts” are described; also see Ch.2, Sec.10, Page 15].

Regarding **claim 39**, the J-CON Manual discloses the method discussed above in claim 36, and further teaches of determining the applicable price of a selected matching item [see Ch.3, Sec.2, Page 4, whereby “If you have PartSource and want J-CON to display prices for parts not in your JIF, press <Prices>. Result: J-CON displays the prices.”; also see Ch.3, Sec.2, Page 6].

Regarding **claim 40**, the J-CON Manual discloses a method comprising the steps of:
maintaining a database containing data relating to items associated with at least two sources [see Ch.3, Sec.5, Page 1, whereby the PartFinder catalog includes at least two product catalogs from different manufacturers, see Ch.3, Sec.2, Page 11, being “Primary and Alternate Manufacturers”], whereby selected portions of the database may be searched separately [see Ch.3, Sec.2, Page 3, wherein “At “Subgroup”, choose one: Enter numbers for the subgroups you want. Result: J-CON marks each subline you selected with an “>”....”; also see Ch.3, Sec.2, Page 11, whereby “At the MANUFACTURERS field, enter the numbers of the manufacturers for which you want part information.”];

Application/Control Number: 90/008,104
Art Unit: 3992

Page 42

searching for matching items among the selected portions of the database [Ch.3, Sec.2, Page 1, wherein “When you look up a part with PartFinder, you specify its group and subgroup, as well as the vehicle's year, make, and model, J-CON then displays a list of possible parts and their prices for the customer. You select a part from the list and specify how many you want.” With this, J-CON is teaching that the system searches and displays parts that match the customer's selections];

building a requisition using data relating to selected matching items and their associated source(s) [see Ch.3,Sec.2, Page 4, wherein “At ‘Selection’, choose one: Enter the number for the part you want. When you finish selecting parts, press <Order Screen> to return to POS...”];

processing the requisition to generate purchase orders using data relating to the selected matching items and their associated source(s) [see Ch.4, Sec.3, Page 1, and Ch. 4, Sec. 4, pages 1-7, wherein “You can set up J-CON to automatically compute POs during EOD. You can also set it to automatically transmit POs to vendors who use A-DIS. The POs can go to primary and alternate vendors, and to other vendors for whom you have set up PO control files in Function 7.7, Add or Edit Vendor Data.”]; and

determining whether a selected matching item is available in inventory [Ch.3, Sec.2, Pages 6 and 10, whereby on page 6, the field “AVL: quantity available” is utilized for determining the available inventory, and whereby on page 10, “Not Found (NF) Parts” are described; also see Ch.2, Sec.10, Page 15].

Application/Control Number: 90/008,104

Page 43

Art Unit: 3992

Regarding **claim 41**, the J-CON Manual discloses a method comprising the steps of:

maintaining a database containing data relating to items associated with at least two sources [see Ch.3, Sec.5, Page 1, whereby the PartFinder catalog includes at least two product catalogs from different manufacturers, see Ch.3, Sec.2, Page 11, being “Primary and Alternate Manufacturers”], whereby selected portions of the database may be searched separately [Ch.3, Sec.2, Page 1, wherein “When you look up a part with PartFinder, you specify its group and subgroup, as well as the vehicle's year, make, and model, J-CON then displays a list of possible parts and their prices for the customer. You select a part from the list and specify how many you want.” With this, J-CON is teaching that the system searches and displays parts that match the customer's selections];

searching for matching items among the selected portions of the database [Ch.3, Sec.2, Page 1, wherein “When you look up a part with PartFinder, you specify its group and subgroup, as well as the vehicle's year, make, and model, J-CON then displays a list of possible parts and their prices for the customer. You select a part from the list and specify how many you want.” With this, J-CON is teaching that the system searches and displays parts that match the customer's selections];

building a requisition using data relating to selected matching items and their associated source(s) [see Ch.3, Sec.2, Page 4, wherein “At ‘Selection’, choose one: Enter the number for the part you want. When you finish selecting parts, press <Order Screen> to return to POS...”];

processing the requisition to generate purchase orders using data relating to the selected matching items and their associated source(s) [see Ch.4, Sec.3, Page 1, and Ch. 4, Sec. 4, pages 1-7, wherein “You can set up J-CON to automatically compute POs during EOD. You can also

Application/Control Number: 90/008,104

Page 44

Art Unit: 3992

set it to automatically transmit POs to vendors who use A-DIS. The POs can go to primary and alternate vendors, and to other vendors for whom you have set up PO control files in Function 7.7, Add or Edit Vendor Data.”]; and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see Ch.3,Sec.2, Page 11, whereby within the “Alternate Parts” section, “J-CON usually displays an alternate part in PartFinder only if you’re out of the original part.”; also see Ch.3,Sec.4, Pages 1-5, whereby on page 1, “InterChange is an optional product that you use to find an equivalent (or InterChange) part for a competitive part. You start InterChange from POS or from PartFinder.”].

Regarding *claim 42*, the J-CON Manual discloses the method discussed above in claim 41, and further teaches that a first purchase order uses data relating to selected matching items from a first source and a second purchase order uses data relating to selected matching items from a second source [see Ch.3, Sec.5, Page 1, whereby the PartFinder catalog includes at least two product catalogs from different manufacturers; also see Ch.2, Sec.10, Page 8, whereby the Warehouse Inquiry screen displays parts from different manufacturers; also see the sample Purchase Orders in Ch.4, Sec.5, Pages 3 and 4].

Regarding *claim 43*, the J-CON Manual discloses the method discussed above in claim 41, and further teaches of the step of determining whether a selected matching item is available in inventory [Ch.3, Sec.2, Pages 6 and 10, whereby on page 6, the field “AVL: quantity

Application/Control Number: 90/008,104
Art Unit: 3992

Page 45

available” is utilized for determining the available inventory, and whereby on page 10, “Not Found (NF) Parts” are described; also see Ch.2, Sec.10, Page 15].

Regarding **claim 44**, the J-CON Manual discloses the method discussed above in claim 41, and further teaches of the step of determining the applicable price of a selected matching item [see Ch.3,Sec.2, Page 4, whereby “If you have PartSource and want J-CON to display prices for parts not in your JIF, press <Prices>. Result: J-CON displays the prices.”; also see Ch.3, Sec.2, Page 6].

Regarding **claim 45**, the J-CON Manual discloses a method comprising the steps of:
maintaining a database containing data relating to items associated with at least two vendors [see Ch.3, Sec.5, Page 1, whereby the PartFinder catalog includes at least two product catalogs from different manufacturers, see Ch.3, Sec.2, Page 11, being “Primary and Alternate Manufacturers”], whereby selected portions of the database may be searched separately [see Ch.3, Sec.2, Page 3, wherein “At “Subgroup”, choose one: Enter numbers for the subgroups you want. Result: J-CON marks each subline you selected with an “>”....”; also see Ch.3,Sec.2, Page 11, whereby “At the MANUFACTURERS field, enter the numbers of the manufacturers for which you want part information.”];

searching for matching items in the selected portions of the database [Ch.3, Sec.2, Page 1, wherein “When you look up a part with PartFinder, you specify its group and subgroup, as well as the vehicle's year, make, and model, J-CON then displays a list of possible parts and their prices for the customer. You select a part from the list and specify how many you want.” With

Application/Control Number: 90/008,104

Page 46

Art Unit: 3992

this, J-CON is teaching that the system searches and displays parts that match the customer's selections];

building a requisition that includes selected matching items [see Ch.3,Sec.2, Page 4, wherein "At 'Selection', choose one: Enter the number for the part you want. When you finish selecting parts, press <Order Screen> to return to POS..."];

processing the requisition to generate purchase orders for selected matching items [see Ch.4, Sec.3, Page 1, and Ch.4, Sec.4, pages 1-7, wherein "You can set up J-CON to automatically compute Pos during EOD. You can also set it to automatically transmit POs to vendors who use A-DIS. The POs can go to primary and alternate vendors, and to other vendors for whom you have set up PO control files in Function 7.7, Add or Edit Vendor Data."].

Application/Control Number: 90/008,104

Page 47

Art Unit: 3992

64. **Claims 26-45** are rejected under 35 U.S.C. 102(b) as being anticipated by “A Practical Guide to SABRE Reservations and Ticketing”, authored by Jeanne Semer-Purzycki, having a copyright date of 1992 (hereafter “Practical Guide to SABRE”).

Regarding *claim 26*, Practical Guide to SABRE discloses a method comprising the steps of:

maintaining at least two product catalogs on a database containing data relating to items associated with the respective sources [see page 2, wherein “SABRE maintains a vast amount of current information. For example, it stores: Flight schedules for more than 680 worldwide carriers...Hotel descriptions and prices for more than 17,000 properties throughout the world”];

selecting the product catalogs to search [see page 51, wherein the teachings describe how to “Request specific carrier availability by specifying one or more airlines in the availability entry.”];

searching for matching items among the selected product catalogs [see pages 62-65, whereby specific carriers are selected between different city pairs, whereby the SABRE system inherently searches the catalogs, so as to display the best match];

building a requisition using data relating to selected matching items and their associated source(s) [whereby a PNR is built, as seen on page 7, “UNIT 1: Building the PNR”; also see pages 9-11, whereby on page 9, “any PNR must contain the following five mandatory fields...I Itinerary (at least one flight segment)”];

processing the requisition to generate one or more purchase orders for the selected matching items [see pages 15 and 16, whereby the PNR is stored, wherein “Ending a record

Application/Control Number: 90/008,104

Page 48

Art Unit: 3992

transmits the PNR directly to American Airlines' central computer for permanent storage"; also see page 76, wherein "After completing the PNR, the agent ends the transaction by entering E. At this time, SABRE does a completeness check of the PNR. When the PNR is redisplayed after it is ended, the SS ("available for sale" code) is changed to the HK status code ("holding k[c]onfirmed")."]; and

determining whether a selected matching item is available in inventory [see pages 34 and 35, wherein the "primary availability ...displays flight availability for all airlines that operate between the given city pair."].

Regarding **claim 27**, Practical Guide to SABRE discloses the method discussed above in claim 26, and further teaches that the purchase orders include data relating to a vendor catalog number for the selected matching items [see pages 10 and 11, whereby the PNR contains the "Carrier and flight number", "Class of service", "Date of departure", and "Day of week code", which can be collectively considered as "data relating to a vendor catalog number"].

Regarding **claim 28**, Practical Guide to SABRE discloses a method comprising the steps of:

maintaining at least two product catalogs on a database containing data relating to items associated with the respective sources [see page 2, wherein "SABRE maintains a vast amount of current information. For example, it stores: Flight schedules for more than 680 worldwide carriers...Hotel descriptions and prices for more than 17,000 properties throughout the world"];

Application/Control Number: 90/008,104
Art Unit: 3992

Page 49

selecting the product catalogs to search [see page 51, wherein the teachings describe how to “Request specific carrier availability by specifying one or more airlines in the availability entry.”];

searching for matching items among the selected product catalogs [see pages 62-65, whereby specific carriers are selected between different city pairs, whereby the SABRE system inherently searches the catalogs, so as to display the best match];

building a requisition using data relating to selected matching items and their associated source(s) [whereby a PNR is built, as seen on page 7, “UNIT 1: Building the PNR”; also see pages 9-11, whereby on page 9, “any PNR must contain the following five mandatory fields...I Itinerary (at least one flight segment)”];

processing the requisition to generate one or more purchase orders for the selected matching items [see pages 15 and 16, whereby the PNR is stored, wherein “Ending a record transmits the PNR directly to American Airlines' central computer for permanent storage”; also see page 76, wherein “After completing the PNR, the agent ends the transaction by entering E. At this time, SABRE does a completeness check of the PNR. When the PNR is redisplayed after it is ended, the SS (“available for sale” code) is changed to the HK status code (“holding k[c]onfirmed”).”]; and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see page 64, wherein “If the class of service requested is sold out, SABRE displays a city pair availability for alternate flights....the requested class, Y, is sold out and the wait list is open. SABRE is displaying six alternate flights for the travel date, city pair, and departure time 11:45 am of the original flight that was requested.”].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 50

Regarding *claim 29*, Practical Guide to SABRE discloses the method discussed above in claim 28, and further teaches of the step of determining whether a selected matching item is available in inventory [see pages 34 and 35, wherein the “primary availability ...displays flight availability for all airlines that operate between the given city pair.”].

Regarding *claim 30*, Practical Guide to SABRE discloses the method discussed above in claim 28, and further teaches of the step of determining the applicable price of a selected matching item [see page 279, wherein “Itinerary pricing enables the travel agent to display the fare for a PNR that is currently in the computer’s working area...SABRE “reads” the flight information in the itinerary and displays the base fare, tax, and total amounts based on the city pair, travel date, and class of service.”].

Regarding *claim 31*, Practical Guide to SABRE discloses a method comprising the steps of:

maintaining a database containing data relating to items associated with at least two sources [see page 2, wherein “SABRE maintains a vast amount of current information. For example, it stores: Flight schedules for more than 680 worldwide carriers...Hotel descriptions and prices for more than 17,000 properties throughout the world”];

searching for matching items among the data relating to the items [see page 51, wherein the teachings describe how to “Request specific carrier availability by specifying one or more airlines in the availability entry.”];

Application/Control Number: 90/008,104
Art Unit: 3992

Page 51

building a requisition using data relating to selected matching items and their associated sources [whereby a PNR is built, as seen on page 7, “UNIT 1: Building the PNR”; also see pages 9-11, whereby on page 9, “any PNR must contain the following five mandatory fields...I Itinerary (at least one flight segment)”];

processing the requisition to generate purchase orders using data relating to the selected matching items and their associated source(s) [see pages 15 and 16, whereby the PNR is stored, wherein “Ending a record transmits the PNR directly to American Airlines' central computer for permanent storage”; also see page 76, wherein “After completing the PNR, the agent ends the transaction by entering E. At this time, SABRE does a completeness check of the PNR. When the PNR is redisplayed after it is ended, the SS (“available for sale” code) is changed to the HK status code (“holding k[c]onfirmed”).”]; and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see page 64, wherein “If the class of service requested is sold out, SABRE displays a city pair availability for alternate flights....the requested class, Y, is sold out and the wait list is open. SABRE is displaying six alternate flights for the travel date, city pair, and departure time 11:45 am of the original flight that was requested.”].

Regarding **claim 32**, Practical Guide to SABRE discloses the method discussed above in claim 31, and further teaches that the purchase orders use data relating to at least two sources [see page 2, wherein “SABRE maintains a vast amount of current information. For example, it stores: Flight schedules for more than 680 worldwide carriers...Hotel descriptions and prices for more than 17,000 properties throughout the world”].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 52

Regarding *claim 33*, Practical Guide to SABRE discloses the method discussed above in claim 31, and further teaches that the purchase orders use data relating to catalog numbers [see pages 10 and 11, whereby the PNR contains the “Carrier and flight number”, “Class of service”, “Date of departure”, and “Day of week code”, which can be collectively considered as “data relating to catalog numbers”].

Regarding *claim 34*, Practical Guide to SABRE discloses the method discussed above in claim 31, and further teaches of the step of determining whether a selected matching item is available in inventory [see pages 34 and 35, wherein the “primary availability ...displays flight availability for all airlines that operate between the given city pair.”].

Regarding *claim 35*, Practical Guide to SABRE discloses the method discussed above in claim 31, and further teaches of the step of determining the applicable price of a selected matching item [see page 279, wherein “Itinerary pricing enables the travel agent to display the fare for a PNR that is currently in the computer’s working area...SABRE “reads” the flight information in the itinerary and displays the base fare, tax, and total amounts based on the city pair, travel date, and class of service.”].

Regarding *claim 36*, Practical Guide to SABRE discloses a method comprising the steps of:

maintaining a database containing at least two product catalogs containing data relating to items associated with the respective sources [see page 2, wherein “SABRE maintains a vast

Application/Control Number: 90/008,104
Art Unit: 3992

Page 53

amount of current information. For example, it stores: Flight schedules for more than 680 worldwide carriers...Hotel descriptions and prices for more than 17,000 properties throughout the world”];

searching for matching items among the product catalogs [see pages 62-65, whereby specific carriers are selected between different city pairs, whereby the SABRE system inherently searches the catalogs, so as to display the best match];

building a requisition that includes a first matching item and a second matching item, each from a different product catalog [whereby a PNR is built, as seen on page 7, “UNIT 1: Building the PNR”; also see pages 9-11, whereby on page 9, “any PNR must contain the following five mandatory fields...I Itinerary (at least one flight segment)”];

processing the requisition to generate purchase orders for the first and the second matching items [see pages 15 and 16, whereby the PNR is stored, wherein “Ending a record transmits the PNR directly to American Airlines' central computer for permanent storage”; also see page 76, wherein “After completing the PNR, the agent ends the transaction by entering E. At this time, SABRE does a completeness check of the PNR. When the PNR is redisplayed after it is ended, the SS (“available for sale” code) is changed to the HK status code (“holding k[c]onfirmed”).”]; and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see page 64, wherein “If the class of service requested is sold out, SABRE displays a city pair availability for alternate flights....the requested class, Y, is sold out and the wait list is open. SABRE is displaying six alternate flights for the travel date, city pair, and departure time 11:45 am of the original flight that was requested.”].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 54

Regarding **claim 37**, Practical Guide to SABRE discloses the method discussed above in claim 36, and further teaches that a first purchase order uses data relating to the first matching item and a second purchase order uses data relating to the second matching catalog item [see page 2, wherein “SABRE maintains a vast amount of current information. For example, it stores: Flight schedules for more than 680 worldwide carriers...Hotel descriptions and prices for more than 17,000 properties throughout the world”; also see pages 10 and 11, whereby two different PNR’s are shown, each with different data relating to a matching item].

Regarding **claim 38**, Practical Guide to SABRE discloses the method discussed above in claim 36, and further teaches of the step of determining whether a selected matching item is available in inventory [see pages 34 and 35, wherein the “primary availability ...displays flight availability for all airlines that operate between the given city pair.”].

Regarding **claim 39**, Practical Guide to SABRE discloses the method discussed above in claim 36, and further teaches of determining the applicable price of a selected matching item [see page 279, wherein “Itinerary pricing enables the travel agent to display the fare for a PNR that is currently in the computer’s working area...SABRE “reads” the flight information in the itinerary and displays the base fare, tax, and total amounts based on the city pair, travel date, and class of service.”].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 55

Regarding *claim 40*, Practical Guide to SABRE discloses a method comprising the steps of:

maintaining a database containing data relating to items associated with at least two sources [see page 2, wherein “SABRE maintains a vast amount of current information. For example, it stores: Flight schedules for more than 680 worldwide carriers...Hotel descriptions and prices for more than 17,000 properties throughout the world”], whereby selected portions of the database may be searched separately [see page 51, wherein the teachings describe how to “Request specific carrier availability by specifying one or more airlines in the availability entry.”];

searching for matching items among the selected portions of the database [see pages 62-65, whereby specific carriers are selected between different city pairs, whereby the SABRE system inherently searches the catalogs, so as to display the best match];

building a requisition using data relating to selected matching items and their associated source(s) [whereby a PNR is built, as seen on page 7, “UNIT 1: Building the PNR”; also see pages 9-11, whereby on page 9, “any PNR must contain the following five mandatory fields...Itinerary (at least one flight segment)”];

processing the requisition to generate purchase orders using data relating to the selected matching items and their associated source(s) [see pages 15 and 16, whereby the PNR is stored, wherein “Ending a record transmits the PNR directly to American Airlines' central computer for permanent storage”; also see page 76, wherein “After completing the PNR, the agent ends the transaction by entering E. At this time, SABRE does a completeness check of the PNR. When

Application/Control Number: 90/008,104
Art Unit: 3992

Page 56

the PNR is redisplayed after it is ended, the SS (“available for sale” code) is changed to the HK status code (“holding k[c]onfirmed”).”]; and

determining whether a selected matching item is available in inventory [see pages 34 and 35, wherein the “primary availability ...displays flight availability for all airlines that operate between the given city pair.”].

Regarding *claim 41*, Practical Guide to SABRE discloses a method comprising the steps of:

maintaining a database containing data relating to items associated with at least two sources [see page 2, wherein “SABRE maintains a vast amount of current information. For example, it stores: Flight schedules for more than 680 worldwide carriers...Hotel descriptions and prices for more than 17,000 properties throughout the world”], whereby selected portions of the database may be searched separately [see page 51, wherein the teachings describe how to “Request specific carrier availability by specifying one or more airlines in the availability entry.”];

searching for matching items among the selected portions of the database [see pages 62-65, whereby specific carriers are selected between different city pairs, whereby the SABRE system inherently searches the catalogs, so as to display the best match];

building a requisition using data relating to selected matching items and their associated source(s) [whereby a PNR is built, as seen on page 7, “UNIT 1: Building the PNR”; also see pages 9-11, whereby on page 9, “any PNR must contain the following five mandatory fields...I Itinerary (at least one flight segment)”];

Application/Control Number: 90/008,104
Art Unit: 3992

Page 57

processing the requisition to generate purchase orders using data relating to the selected matching items and their associated source(s) [see pages 15 and 16, whereby the PNR is stored, wherein “Ending a record transmits the PNR directly to American Airlines' central computer for permanent storage”; also see page 76, wherein “After completing the PNR, the agent ends the transaction by entering E. At this time, SABRE does a completeness check of the PNR. When the PNR is redisplayed after it is ended, the SS (“available for sale” code) is changed to the HK status code (“holding k[c]onfirmed”).”]; and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see page 64, wherein “If the class of service requested is sold out, SABRE displays a city pair availability for alternate flights....the requested class, Y, is sold out and the wait list is open. SABRE is displaying six alternate flights for the travel date, city pair, and departure time 11:45 am of the original flight that was requested.”].

Regarding *claim 42*, Practical Guide to SABRE discloses the method discussed above in claim 41, and further teaches that a first purchase order uses data relating to selected matching items from a first source and a second purchase order uses data relating to selected matching items from a second source [see page 2, wherein “SABRE maintains a vast amount of current information. For example, it stores: Flight schedules for more than 680 worldwide carriers...Hotel descriptions and prices for more than 17,000 properties throughout the world”; also see pages 10 and 11, whereby two different PNR's are shown, each with different data relating to a matching item].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 58

Regarding **claim 43**, Practical Guide to SABRE discloses the method discussed above in claim 41, and further teaches of the step of determining whether a selected matching item is available in inventory [see pages 34 and 35, wherein the “primary availability ...displays flight availability for all airlines that operate between the given city pair.”].

Regarding **claim 44**, Practical Guide to SABRE discloses the method discussed above in claim 41, and further teaches of the step of determining the applicable price of a selected matching item [see page 279, wherein “Itinerary pricing enables the travel agent to display the fare for a PNR that is currently in the computer’s working area...SABRE “reads” the flight information in the itinerary and displays the base fare, tax, and total amounts based on the city pair, travel date, and class of service.”].

Regarding **claim 45**, Practical Guide to SABRE discloses a method comprising the steps of:

maintaining a database containing data relating to items associated with at least two vendors [see page 2, wherein “SABRE maintains a vast amount of current information. For example, it stores: Flight schedules for more than 680 worldwide carriers...Hotel descriptions and prices for more than 17,000 properties throughout the world”], whereby selected portions of the database may be searched separately [see page 51, wherein the teachings describe how to “Request specific carrier availability by specifying one or more airlines in the availability entry.”];

Application/Control Number: 90/008,104

Page 59

Art Unit: 3992

searching for matching items in the selected portions of the database [see pages 62-65, whereby specific carriers are selected between different city pairs, whereby the SABRE system inherently searches the catalogs, so as to display the best match];

building a requisition that includes selected matching items [whereby a PNR is built, as seen on page 7, "UNIT 1: Building the PNR"; also see pages 9-11, whereby on page 9, "any PNR must contain the following five mandatory fields...I Itinerary (at least one flight segment)"];

processing the requisition to generate purchase orders for selected matching items [see pages 15 and 16, whereby the PNR is stored, wherein "Ending a record transmits the PNR directly to American Airlines' central computer for permanent storage"; also see page 76, wherein "After completing the PNR, the agent ends the transaction by entering E. At this time, SABRE does a completeness check of the PNR. When the PNR is redisplayed after it is ended, the SS ("available for sale" code) is changed to the HK status code ("holding k[c]onfirmed")."].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 60

65. **Claims 26-45** are rejected under 35 U.S.C. 102(a) as being anticipated by “P.O. Writer Plus Guided Tour Version 10.0”, from American Tech, Inc., copyright 1993 (hereafter “P.O. Writer Plus Guided Tour”).

Regarding *claim 26*, P.O. Writer Plus Guided Tour discloses a method comprising the steps of:

maintaining at least two product catalogs on a database containing data relating to items associated with the respective sources [see page 22, wherein “You can now buy this item from Best Buy, Bayless, or any other vendor you would like to select.”; also see pages 45 and 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”];

selecting the product catalogs to search [see page 131, wherein “Items from a specific catalog can be displayed by entering a Catalogue ID at the top of the screen.”];

searching for matching items among the selected product catalogs [see page 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”; also see page 47, wherein “There are 3 items in the Bayless catalogue whose descriptions begin with the letter P.”];

building a requisition using data relating to selected matching items and their associated source(s) [see pages 47 and 48; also see pages 117-147];

processing the requisition to generate one or more purchase orders for the selected matching items [see page 49; also see pages 149-153, wherein on page 149, “The REQUISITIONING INTERFACE allows you to turn purchase Requisitions into Purchase Orders

Application/Control Number: 90/008,104

Page 61

Art Unit: 3992

quickly and easily. Requisitions can be automatically consolidated onto one Purchase Order.”]; and

determining whether a selected matching item is available in inventory [see page 102, wherein “The Inventory Control Module allows you to track on-hand inventory balances and report usage history, and automatically generate Re-order Analysis as often as you like.”; also see page 103, wherein “The P.O. WRITER PLUS Inventory Control Module allows you to specify those items you would like to track in Inventory.”].

Regarding *claim 27*, P.O Writer Plus Guided Tour discloses the method discussed above in claim 26, and further teaches that the purchase orders include data relating to a vendor catalog number for the selected matching items [see page 29, whereby the Vender ID number and the item number can be considered as “data relating to a vendor catalog number”; also see pages 44 and 49; also see page 131, wherein “Items from a specific catalog can be displayed by entering a Catalogue ID at the top of the screen.”].

Regarding *claim 28*, P.O Writer Plus Guided Tour discloses a method comprising the steps of:

maintaining at least two product catalogs on a database containing data relating to items associated with the respective sources [see page 22, wherein “You can now buy this item from Best Buy, Bayless, or any other vendor you would like to select.”; also see pages 45 and 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”];

Application/Control Number: 90/008,104
Art Unit: 3992

Page 62

selecting the product catalogs to search [see page 131, wherein “Items from a specific catalog can be displayed by entering a Catalogue ID at the top of the screen.”];

searching for matching items among the selected product catalogs [see page 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”; also see page 47, wherein “There are 3 items in the Bayless catalogue whose descriptions begin with the letter P.”];

building a requisition using data relating to selected matching items and their associated source(s) [see pages 47 and 48; also see pages 117-147];

processing the requisition to generate one or more purchase orders for the selected matching items [see page 49; also see pages 149-153, wherein on page 149, “The REQUISITIONING INTERFACE allows you to turn purchase Requisitions into Purchase Orders quickly and easily. Requisitions can be automatically consolidated onto one Purchase Order.”]; and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see pages 21 and 22, wherein “The PURCHASE ORDER HISTORY screen shows that you have purchased A1000 twice from Best Buy Supply and issued an RFQ to Bayless....You can now buy this item from Best Buy, Bayless, or any other vendor you would like to select.”; also see pages 151 and 152, wherein “We can now select a vendor for each item or we can have the system do it for us! The system will select the vendor based on the last P.O. for a given item.”].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 63

Regarding **claim 29**, P.O Writer Plus Guided Tour discloses the method discussed above in claim 28, and further teaches of the step of determining whether a selected matching item is available in inventory [see page 102, wherein “The Inventory Control Module allows you to track on-hand inventory balances and report usage history, and automatically generate Re-order Analysis as often as you like.”; also see page 103, wherein “The P.O. WRITER PLUS Inventory Control Module allows you to specify those items you would like to track in Inventory.”].

Regarding **claim 30**, P.O Writer Plus Guided Tour discloses the method discussed above in claim 28, and further teaches of the step of determining the applicable price of a selected matching item [see page 71, wherein “PRICE ANALYSIS – shows all P.O.’s, compare actual to standard cost, calculates variances, and average and actual prices.”].

Regarding **claim 31**, P.O Writer Plus Guided Tour discloses a method comprising the steps of:

maintaining a database containing data relating to items associated with at least two sources [see page 22, wherein “You can now buy this item from Best Buy, Bayless, or any other vendor you would like to select.”; also see pages 45 and 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”];

searching for matching items among the data relating to the items [see page 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”; also see page 47, wherein “There are 3 items in the Bayless catalogue whose descriptions begin with the letter P.”];

Application/Control Number: 90/008,104
Art Unit: 3992

Page 64

building a requisition using data relating to selected matching items and their associated sources [see pages 47 and 48; also see pages 117-147];

processing the requisition to generate purchase orders using data relating to the selected matching items and their associated source(s) [see page 49; also see pages 149-153, wherein on page 149, “The REQUISITIONING INTERFACE allows you to turn purchase Requisitions into Purchase Orders quickly and easily. Requisitions can be automatically consolidated onto one Purchase Order.”]; and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see pages 21 and 22, wherein “The PURCHASE ORDER HISTORY screen shows that you have purchased A1000 twice from Best Buy Supply and issued an RFQ to Bayless....You can now buy this item from Best Buy, Bayless, or any other vendor you would like to select.”; also see pages 151 and 152, wherein “We can now select a vendor for each item or we can have the system do it for us! The system will select the vendor based on the last P.O. for a given item.”].

Regarding *claim 32*, P.O Writer Plus Guided Tour discloses the method discussed above in claim 31, and further teaches that the purchase orders use data relating to at least two sources [see page 22, wherein “You can now buy this item from Best Buy, Bayless, or any other vendor you would like to select.”; also see pages 45 and 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”; also see pages 29 and 44].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 65

Regarding **claim 33**, P.O Writer Plus Guided Tour discloses the method discussed above in claim 31, and further teaches that the purchase orders use data relating to catalog numbers [see page 29, whereby the Vender ID number and the item number can be considered as “data relating to a vendor catalog number”; also see pages 44 and 49; also see page 131, wherein “Items from a specific catalog can be displayed by entering a Catalogue ID at the top of the screen.”].

Regarding **claim 34**, P.O Writer Plus Guided Tour discloses the method discussed above in claim 31, and further teaches of the step of determining whether a selected matching item is available in inventory [see page 102, wherein “The Inventory Control Module allows you to track on-hand inventory balances and report usage history, and automatically generate Re-order Analysis as often as you like.”; also see page 103, wherein “The P.O. WRITER PLUS Inventory Control Module allows you to specify those items you would like to track in Inventory.”].

Regarding **claim 35**, P.O Writer Plus Guided Tour discloses the method discussed above in claim 31, and further teaches of the step of determining the applicable price of a selected matching item [see page 71, wherein “PRICE ANALYSIS – shows all P.O.’s, compare actual to standard cost, calculates variances, and average and actual prices.”].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 66

Regarding *claim 36*, P.O Writer Plus Guided Tour discloses a method comprising the steps of:

maintaining a database containing at least two product catalogs containing data relating to items associated with the respective sources [see page 22, wherein “You can now buy this item from Best Buy, Bayless, or any other vendor you would like to select.”; also see pages 45 and 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”];

searching for matching items among the product catalogs [see page 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”; also see page 47, wherein “There are 3 items in the Bayless catalogue whose descriptions begin with the letter P.”];

building a requisition that includes a first matching item and a second matching item, each from a different product catalog [see pages 47 and 48; also see pages 117-147];

processing the requisition to generate purchase orders for the first and the second matching items [see page 49; also see pages 149-153, wherein on page 149, “The REQUISITIONING INTERFACE allows you to turn purchase Requisitions into Purchase Orders quickly and easily. Requisitions can be automatically consolidated onto one Purchase Order.”];
and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see pages 21 and 22, wherein “The PURCHASE ORDER HISTORY screen shows that you have purchased A1000 twice from Best Buy Supply and issued an RFQ to Bayless....You can now buy this item from Best Buy, Bayless, or any

Application/Control Number: 90/008,104

Page 67

Art Unit: 3992

other vendor you would like to select.”; also see pages 151 and 152, wherein “We can now select a vendor for each item or we can have the system do it for us! The system will select the vendor based on the last P.O. for a given item.”].

Regarding *claim 37*, P.O Writer Plus Guided Tour discloses the method discussed above in claim 36, and further teaches that a first purchase order uses data relating to the first matching item and a second purchase order uses data relating to the second matching catalog item [see page 22, wherein “You can now buy this item from Best Buy, Bayless, or any other vendor you would like to select.”; also see pages 45 and 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”; also see pages 29 and 44].

Regarding *claim 38*, P.O Writer Plus Guided Tour discloses the method discussed above in claim 36, and further teaches of the step of determining whether a selected matching item is available in inventory [see page 102, wherein “The Inventory Control Module allows you to track on-hand inventory balances and report usage history, and automatically generate Re-order Analysis as often as you like.”; also see page 103, wherein “The P.O. WRITER PLUS Inventory Control Module allows you to specify those items you would like to track in Inventory.”].

Regarding *claim 39*, P.O Writer Plus Guided Tour discloses the method discussed above in claim 36, and further teaches of determining the applicable price of a selected matching item

Application/Control Number: 90/008,104
Art Unit: 3992

Page 68

[see page 71, wherein “PRICE ANALYSIS – shows all P.O.’s, compare actual to standard cost, calculates variances, and average and actual prices.”].

Regarding *claim 40*, P.O Writer Plus Guided Tour discloses a method comprising the steps of:

maintaining a database containing data relating to items associated with at least two sources [see page 22, wherein “You can now buy this item from Best Buy, Bayless, or any other vendor you would like to select.”; also see pages 45 and 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”], whereby selected portions of the database may be searched separately [see page 131, wherein “Items from a specific catalog can be displayed by entering a Catalogue ID at the top of the screen.”];

searching for matching items among the selected portions of the database [see page 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”; also see page 47, wherein “There are 3 items in the Bayless catalogue whose descriptions begin with the letter P.”];

building a requisition using data relating to selected matching items and their associated source(s) [see pages 47 and 48; also see pages 117-147];

processing the requisition to generate purchase orders using data relating to the selected matching items and their associated source(s) [see page 49; also see pages 149-153, wherein on page 149, “The REQUISTIONING INTERFACE allows you to turn purchase Requisitions into

Application/Control Number: 90/008,104
Art Unit: 3992

Page 69

Purchase Orders quickly and easily. Requisitions can be automatically consolidated onto one Purchase Order.”]; and

determining whether a selected matching item is available in inventory [see page 102, wherein “The Inventory Control Module allows you to track on-hand inventory balances and report usage history, and automatically generate Re-order Analysis as often as you like.”; also see page 103, wherein “The P.O. WRITER PLUS Inventory Control Module allows you to specify those items you would like to track in Inventory.”].

Regarding *claim 41*, P.O Writer Plus Guided Tour discloses a method comprising the steps of:

maintaining a database containing data relating to items associated with at least two sources [see page 22, wherein “You can now buy this item from Best Buy, Bayless, or any other vendor you would like to select.”; also see pages 45 and 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”], whereby selected portions of the database may be searched separately [see page 131, wherein “Items from a specific catalog can be displayed by entering a Catalogue ID at the top of the screen.”];

searching for matching items among the selected portions of the database [see page 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”; also see page 47, wherein “There are 3 items in the Bayless catalogue whose descriptions begin with the letter P.”];

Application/Control Number: 90/008,104
Art Unit: 3992

Page 70

building a requisition using data relating to selected matching items and their associated source(s) [see pages 47 and 48; also see pages 117-147];

processing the requisition to generate purchase orders using data relating to the selected matching items and their associated source(s) [see page 49; also see pages 149-153, wherein on page 149, “The REQUISITIONING INTERFACE allows you to turn purchase Requisitions into Purchase Orders quickly and easily. Requisitions can be automatically consolidated onto one Purchase Order.”]; and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see pages 21 and 22, wherein “The PURCHASE ORDER HISTORY screen shows that you have purchased A1000 twice from Best Buy Supply and issued an RFQ to Bayless....You can now buy this item from Best Buy, Bayless, or any other vendor you would like to select.”; also see pages 151 and 152, wherein “We can now select a vendor for each item or we can have the system do it for us! The system will select the vendor based on the last P.O. for a given item.”].

Regarding *claim 42*, P.O Writer Plus Guided Tour discloses the method discussed above in claim 41, and further teaches that a first purchase order uses data relating to selected matching items from a first source and a second purchase order uses data relating to selected matching items from a second source [see page 22, wherein “You can now buy this item from Best Buy, Bayless, or any other vendor you would like to select.”; also see pages 45 and 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”; also see pages 29 and 44].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 71

Regarding **claim 43**, P.O Writer Plus Guided Tour discloses the method discussed above in claim 41, and further teaches of the step of determining whether a selected matching item is available in inventory [see page 102, wherein “The Inventory Control Module allows you to track on-hand inventory balances and report usage history, and automatically generate Re-order Analysis as often as you like.”; also see page 103, wherein “The P.O. WRITER PLUS Inventory Control Module allows you to specify those items you would like to track in Inventory.”].

Regarding **claim 44**, P.O Writer Plus Guided Tour discloses the method discussed above in claim 41, and further teaches of the step of determining the applicable price of a selected matching item [see page 71, wherein “PRICE ANALYSIS – shows all P.O.’s, compare actual to standard cost, calculates variances, and average and actual prices.”].

Regarding **claim 45**, P.O Writer Plus Guided Tour discloses a method comprising the steps of:

maintaining a database containing data relating to items associated with at least two vendors [see page 22, wherein “You can now buy this item from Best Buy, Bayless, or any other vendor you would like to select.”; also see pages 45 and 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”], whereby selected portions of the database may be searched separately [see page 131, wherein “Items from a specific catalog can be displayed by entering a Catalogue ID at the top of the screen.”];

Application/Control Number: 90/008,104

Page 72

Art Unit: 3992

searching for matching items in the selected portions of the database [see page 46, wherein “For example, say you want to display all items in the Bayless Catalogue whose description starts with the letters “P”.”; also see page 47, wherein “There are 3 items in the Bayless catalogue whose descriptions begin with the letter P.”];

building a requisition that includes selected matching items [see pages 47 and 48; also see pages 117-147];

processing the requisition to generate purchase orders for selected matching items [see page 49; also see pages 149-153, wherein on page 149, “The REQUISITIONING INTERFACE allows you to turn purchase Requisitions into Purchase Orders quickly and easily. Requisitions can be automatically consolidated onto one Purchase Order.”].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 73

66. **Claims 26-45** are rejected under 35 U.S.C. 102(b) as being anticipated by “Gateway 2000/MRO Version”, from Technical Service Associates (TSA), dated May 1991 (hereafter “Gateway 2000/MRO”).

Regarding **claim 26**, Gateway 2000/MRO discloses a method comprising the steps of:
maintaining at least two product catalogs on a database containing data relating to items associated with the respective sources [see pages 4-18 and 4-19; also see page 15-42, wherein “The GATEWAY 2000/MRO ...System provides a capability to define and store vendor catalogues that can be used for selection during PO entry.”];

selecting the product catalogs to search [see pages 4-18 and 4-19, wherein “To select a catalog, move the lightbar to the desired catalog and press enter. The items listed in this catalog will be displayed for selection”];

searching for matching items among the selected product catalogs [see page 4-17, wherein “To perform a keyword search on stock items, press, F6 and enter the keyword or phrase. A list of all items containing the keyword will be displays. You can select an item from the list by positioning the lightbar to a desired item and pressing the enter key. The stock item will be moved into your requisition.”; also see page 4-18, wherein “To select items from a standard catalog, position the cursor at the beginning of a new line item description and press the F7 key. A list of pre-stored catalog names will be displayed.”];

building a requisition using data relating to selected matching items and their associated source(s) [see page 4-17, wherein “You can select an item from the list by positioning the

Application/Control Number: 90/008,104

Page 74

Art Unit: 3992

lightbar to a desired item and pressing the enter key. The stock item will be moved into your requisition.”; also see page 4-33, where a printout of a built requisition is shown];

processing the requisition to generate one or more purchase orders for the selected matching items [see page 6-3, wherein “If a requisition has already been entered, the data from the requisition will move forward into the purchase order automatically.”; also see page 6-16, wherein “If ... a purchase order is being prepared from a requisition, the system will automatically move all of the line items from the requisition into the purchase order.”; also see pages 4-33 and 6-35, which show a copy of a requisition and a generated purchase order]; and

determining whether a selected matching item is available in inventory [see page 4-17, wherein “If a stock item is not on file, the message “item not found” will be displayed, and the message “item not on file, add new item now (Y/N)” will be displayed.”].

Regarding *claim 27*, GATEWAY 2000/MRO discloses the method discussed above in claim 26, and further teaches that the purchase orders include data relating to a vendor catalog number for the selected matching items [see 6-35, whereby the “Description” includes a description and model number, which can be considered as “data relating to a vendor catalog number for selected matching items”].

Regarding *claim 28*, Gateway 2000/MRO discloses a method comprising the steps of: maintaining at least two product catalogs on a database containing data relating to items associated with the respective sources [see pages 4-18 and 4-19; also see page 15-42, wherein

Application/Control Number: 90/008,104

Page 75

Art Unit: 3992

“The GATEWAY 2000/MRO ...System provides a capability to define and store vendor catalogues that can be used for selection during PO entry.”];

selecting the product catalogs to search [see pages 4-18 and 4-19, wherein “To select a catalog, move the lightbar to the desired catalog and press enter. The items listed in this catalog will be displayed for selection”];

searching for matching items among the selected product catalogs [see page 4-17, wherein “To perform a keyword search on stock items, press, F6 and enter the keyword or phrase. A list of all items containing the keyword will be displays. You can select an item from the list by positioning the lightbar to a desired item and pressing the enter key. The stock item will be moved into your requisition.”; also see page 4-18, wherein “To select items from a standard catalog, position the cursor at the beginning of a new line item description and press the F7 key. A list of pre-stored catalog names will be displayed.”];

building a requisition using data relating to selected matching items and their associated source(s) [see page 4-17, wherein “You can select an item from the list by positioning the lightbar to a desired item and pressing the enter key. The stock item will be moved into your requisition.”; also see page 4-33, where a printout of a built requisition is shown];

processing the requisition to generate one or more purchase orders for the selected matching items [see page 6-3, wherein “If a requisition has already been entered, the data from the requisition will move forward into the purchase order automatically.”; also see page 6-16, wherein “If ... a purchase order is being prepared from a requisition, the system will automatically move all of the line items from the requisition into the purchase order.”; also see pages 4-33 and 6-35, which show a copy of a requisition and a generated purchase order]; and

Application/Control Number: 90/008,104

Page 76

Art Unit: 3992

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see pages 4-26 through 4-28, whereby “Any field (other than the requisition number) can be changed through requisition maintenance.”; With this, the “Requisition Maintenance” function allows for converting data relating to a selected matching item to data relating to an item and a different source, as a primary vendor can be changed to a secondary vendor, with both being seen on page 12-3, by converting the vendor ID numbers, seen on page 4-27, also see pages 4-8 and 4-9].

Regarding *claim 29*, Gateway 2000/MRO discloses the method discussed above in claim 28, and further teaches of the step of determining whether a selected matching item is available in inventory [see page 4-17, wherein “If a stock item is not on file, the message “item not found” will be displayed, and the message “item not on file, add new item now (Y/N)” will be displayed.”].

Regarding *claim 30*, Gateway 2000/MRO discloses the method discussed above in claim 28, and further teaches of the step of determining the applicable price of a selected matching item [see page 4-8, wherein “the purchase order process will automatically calculate a tax amount based upon the system tax tables.”; also see page 4-20, wherein “the system will automatically calculate and display the extended price.”].

Application/Control Number: 90/008,104

Page 77

Art Unit: 3992

Regarding **claim 31**, Gateway 2000/MRO discloses a method comprising the steps of:
maintaining a database containing data relating to items associated with at least two sources [see pages 4-18 and 4-19; also see page 15-42, wherein “The GATEWAY 2000/MRO ...System provides a capability to define and store vendor catalogues that can be used for selection during PO entry.”];

searching for matching items among the data relating to the items [see page 4-17, wherein “To perform a keyword search on stock items, press, F6 and enter the keyword or phrase. A list of all items containing the keyword will be displays. You can select an item from the list by positioning the lightbar to a desired item and pressing the enter key. The stock item will be moved into your requisition.”; also see page 4-18, wherein “To select items from a standard catalog, position the cursor at the beginning of a new line item description and press the F7 key. A list of pre-stored catalog names will be displayed.”];

building a requisition using data relating to selected matching items and their associated sources [see page 4-17, wherein “You can select an item from the list by positioning the lightbar to a desired item and pressing the enter key. The stock item will be moved into your requisition.”; also see page 4-33, where a printout of a built requisition is shown];

processing the requisition to generate purchase orders using data relating to the selected matching items and their associated source(s) [see page 6-3, wherein “If a requisition has already been entered, the data from the requisition will move forward into the purchase order automatically.”; also see page 6-16, wherein “If ... a purchase order is being prepared from a requisition, the system will automatically move all of the line items from the requisition into the

Application/Control Number: 90/008,104

Page 78

Art Unit: 3992

purchase order.”; also see pages 4-33 and 6-35, which show a copy of a requisition and a generated purchase order]; and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see pages 4-26 through 4-28, whereby “Any field (other than the requisition number) can be changed through requisition maintenance.”; With this, the “Requisition Maintenance” function allows for converting data relating to a selected matching item to data relating to an item and a different source, as a primary vendor can be changed to a secondary vendor, with both being seen on page 12-3, by converting the vendor ID numbers, seen on page 4-27, also see pages 4-8 and 4-9].

Regarding *claim 32*, Gateway 2000/MRO discloses the method discussed above in claim 31, and further teaches that the purchase orders use data relating to at least two sources [see pages 4-18 and 4-19; also see page 15-42, wherein “The GATEWAY 2000/MRO ...System provides a capability to define and store vendor catalogues that can be used for selection during PO entry.”], whereby selected portions of the database may be searched separately [see pages 4-18 and 4-19, wherein “To select a catalog, move the lightbar to the desired catalog and press enter. The items listed in this catalog will be displayed for selection”; also see pages 4-8 and 4-9].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 79

Regarding **claim 33**, Gateway 2000/MRO discloses the method discussed above in claim 31, and further teaches that the purchase orders use data relating to catalog numbers [see page 6-35, whereby the “Description” includes a description and model number, which can be considered as “data relating to catalog numbers”].

Regarding **claim 34**, Gateway 2000/MRO discloses the method discussed above in claim 31, and further teaches of the step of determining whether a selected matching item is available in inventory [see page 4-17, wherein “If a stock item is not on file, the message “item not found” will be displayed, and the message “item not on file, add new item now (Y/N)” will be displayed.”].

Regarding **claim 35**, Gateway 2000/MRO discloses the method discussed above in claim 31, and further teaches of the step of determining the applicable price of a selected matching item [see page 4-8, wherein “the purchase order process will automatically calculate a tax amount based upon the system tax tables.”; also see page 4-20, wherein “the system will automatically calculate and display the extended price.”].

Regarding **claim 36**, Gateway 2000/MRO discloses a method comprising the steps of:
maintaining a database containing at least two product catalogs containing data relating to items associated with the respective sources [see pages 4-18 and 4-19; also see page 15-42, wherein “The GATEWAY 2000/MRO ...System provides a capability to define and store vendor catalogues that can be used for selection during PO entry.”];

Application/Control Number: 90/008,104
Art Unit: 3992

Page 80

searching for matching items among the product catalogs [see page 4-17, wherein “To perform a keyword search on stock items, press, F6 and enter the keyword or phrase. A list of all items containing the keyword will be displays. You can select an item from the list by positioning the lightbar to a desired item and pressing the enter key. The stock item will be moved into your requisition.”; also see page 4-18, wherein “To select items from a standard catalog, position the cursor at the beginning of a new line item description and press the F7 key. A list of pre-stored catalog names will be displayed.”];

building a requisition that includes a first matching item and a second matching item, each from a different product catalog [see page 4-17, wherein “You can select an item from the list by positioning the lightbar to a desired item and pressing the enter key. The stock item will be moved into your requisition.”; also see page 4-33, where a printout of a built requisition is shown];

processing the requisition to generate purchase orders for the first and the second matching items [see page 6-3, wherein “If a requisition has already been entered, the data from the requisition will move forward into the purchase order automatically.”; also see page 6-16, wherein “If ... a purchase order is being prepared from a requisition, the system will automatically move all of the line items from the requisition into the purchase order.”; also see pages 4-33 and 6-35, which show a copy of a requisition and a generated purchase order]; and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see pages 4-26 through 4-28, whereby “Any field (other than the requisition number) can be changed through requisition maintenance.”; With this, the “Requisition Maintenance” function allows for converting data relating to a selected

Application/Control Number: 90/008,104
Art Unit: 3992

Page 81

matching item to data relating to an item and a different source, as a primary vendor can be changed to a secondary vendor, with both being seen on page 12-3, by converting the vendor ID numbers, seen on page 4-27, also see pages 4-8 and 4-9].

Regarding *claim 37*, Gateway 2000/MRO discloses the method discussed above in claim 36, and further teaches that a first purchase order uses data relating to the first matching item and a second purchase order uses data relating to the second matching catalog item [see pages 4-8 and 4-9, and 6-35, whereby different vendors can be used for data relating to a first matching item].

Regarding *claim 38*, Gateway 2000/MRO discloses the method discussed above in claim 36, and further teaches of the step of determining whether a selected matching item is available in inventory [see page 4-17, wherein “If a stock item is not on file, the message “item not found” will be displayed, and the message “item not on file, add new item now (Y/N)” will be displayed.”].

Regarding *claim 39*, Gateway 2000/MRO discloses the method discussed above in claim 36, and further teaches of determining the applicable price of a selected matching item [see page 4-8, wherein “the purchase order process will automatically calculate a tax amount based upon the system tax tables.”; also see page 4-20, wherein “the system will automatically calculate and display the extended price.”].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 82

Regarding *claim 40*, Gateway 2000/MRO discloses a method comprising the steps of:

maintaining a database containing data relating to items associated with at least two sources [see pages 4-18 and 4-19; also see page 15-42, wherein “The GATEWAY 2000/MRO ...System provides a capability to define and store vendor catalogues that can be used for selection during PO entry.”], whereby selected portions of the database may be searched separately [see pages 4-18 and 4-19, wherein “To select a catalog, move the lightbar to the desired catalog and press enter. The items listed in this catalog will be displayed for selection”];

searching for matching items among the selected portions of the database [see page 4-17, wherein “To perform a keyword search on stock items, press, F6 and enter the keyword or phrase. A list of all items containing the keyword will be displays. You can select an item from the list by positioning the lightbar to a desired item and pressing the enter key. The stock item will be moved into your requisition.”; also see page 4-18, wherein “To select items from a standard catalog, position the cursor at the beginning of a new line item description and press the F7 key. A list of pre-stored catalog names will be displayed.”];

building a requisition using data relating to selected matching items and their associated source(s) [see page 4-17, wherein “You can select an item from the list by positioning the lightbar to a desired item and pressing the enter key. The stock item will be moved into your requisition.”; also see page 4-33, where a printout of a built requisition is shown];

processing the requisition to generate purchase orders using data relating to the selected matching items and their associated source(s) [see page 6-3, wherein “If a requisition has already been entered, the data from the requisition will move forward into the purchase order automatically.”; also see page 6-16, wherein “If ... a purchase order is being prepared from a

Application/Control Number: 90/008,104

Page 83

Art Unit: 3992

requisition, the system will automatically move all of the line items from the requisition into the purchase order.”; also see pages 4-33 and 6-35, which show a copy of a requisition and a generated purchase order]; and

determining whether a selected matching item is available in inventory [see page 4-17, wherein “If a stock item is not on file, the message “item not found” will be displayed, and the message “item not on file, add new item now (Y/N)” will be displayed.”].

Regarding *claim 41*, Gateway 2000/MRO discloses a method comprising the steps of: maintaining a database containing data relating to items associated with at least two sources [see pages 4-18 and 4-19; also see page 15-42, wherein “The GATEWAY 2000/MRO ...System provides a capability to define and store vendor catalogues that can be used for selection during PO entry.”], whereby selected portions of the database may be searched separately [see pages 4-18 and 4-19, wherein “To select a catalog, move the lightbar to the desired catalog and press enter. The items listed in this catalog will be displayed for selection”]; searching for matching items among the selected portions of the database [see page 4-17, wherein “To perform a keyword search on stock items, press, F6 and enter the keyword or phrase. A list of all items containing the keyword will be displays. You can select an item from the list by positioning the lightbar to a desired item and pressing the enter key. The stock item will be moved into your requisition.”; also see page 4-18, wherein “To select items from a standard catalog, position the cursor at the beginning of a new line item description and press the F7 key. A list of pre-stored catalog names will be displayed.”];

Application/Control Number: 90/008,104
Art Unit: 3992

Page 84

building a requisition using data relating to selected matching items and their associated source(s) [see page 4-17, wherein “You can select an item from the list by positioning the lightbar to a desired item and pressing the enter key. The stock item will be moved into your requisition.”; also see page 4-33, where a printout of a built requisition is shown];

processing the requisition to generate purchase orders using data relating to the selected matching items and their associated source(s) [see page 6-3, wherein “If a requisition has already been entered, the data from the requisition will move forward into the purchase order automatically.”; also see page 6-16, wherein “If ... a purchase order is being prepared from a requisition, the system will automatically move all of the line items from the requisition into the purchase order.”; also see pages 4-33 and 6-35, which show a copy of a requisition and a generated purchase order]; and

converting data relating to a selected matching item and an associated source to data relating to an item and a different source [see pages 4-26 through 4-28, whereby “Any field (other than the requisition number) can be changed through requisition maintenance.”; With this, the “Requisition Maintenance” function allows for converting data relating to a selected matching item to data relating to an item and a different source, as a primary vendor can be changed to a secondary vendor, with both being seen on page 12-3, by converting the vendor ID numbers, seen on page 4-27, also see pages 4-8 and 4-9].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 85

Regarding **claim 42**, Gateway 2000/MRO discloses the method discussed above in claim 41, and further teaches that a first purchase order uses data relating to selected matching items from a first source and a second purchase order uses data relating to selected matching items from a second source [see pages 4-8 and 4-9, and 6-35, whereby different vendors can be used for data relating to a first matching item].

Regarding **claim 43**, Gateway 2000/MRO discloses the method discussed above in claim 41, and further teaches of the step of determining whether a selected matching item is available in inventory [see page 4-17, wherein “If a stock item is not on file, the message “item not found” will be displayed, and the message “item not on file, add new item now (Y/N)” will be displayed.”].

Regarding **claim 44**, Gateway 2000/MRO discloses the method discussed above in claim 41, and further teaches of the step of determining the applicable price of a selected matching item [see page 4-8, wherein “the purchase order process will automatically calculate a tax amount based upon the system tax tables.”; also see page 4-20, wherein “the system will automatically calculate and display the extended price.”].

Regarding **claim 45**, Gateway 2000/MRO discloses a method comprising the steps of:
maintaining a database containing data relating to items associated with at least two vendors [see pages 4-18 and 4-19; also see page 15-42, wherein “The GATEWAY 2000/MRO ...System provides a capability to define and store vendor catalogues that can be used for

Application/Control Number: 90/008,104
Art Unit: 3992

Page 86

selection during PO entry.”], whereby selected portions of the database may be searched separately [see pages 4-18 and 4-19, wherein “To select a catalog, move the lightbar to the desired catalog and press enter. The items listed in this catalog will be displayed for selection”];

searching for matching items in the selected portions of the database [see page 4-17, wherein “To perform a keyword search on stock items, press, F6 and enter the keyword or phrase. A list of all items containing the keyword will be displays. You can select an item from the list by positioning the lightbar to a desired item and pressing the enter key. The stock item will be moved into your requisition.”; also see page 4-18, wherein “To select items from a standard catalog, position the cursor at the beginning of a new line item description and press the F7 key. A list of pre-stored catalog names will be displayed.”];

building a requisition that includes selected matching items [see page 4-17, wherein “You can select an item from the list by positioning the lightbar to a desired item and pressing the enter key. The stock item will be moved into your requisition.”; also see page 4-33, where a printout of a built requisition is shown];

processing the requisition to generate purchase orders for selected matching items [see page 6-3, wherein “If a requisition has already been entered, the data from the requisition will move forward into the purchase order automatically.”; also see page 6-16, wherein “If ... a purchase order is being prepared from a requisition, the system will automatically move all of the line items from the requisition into the purchase order.”; also see pages 4-33 and 6-35, which show a copy of a requisition and a generated purchase order].

Application/Control Number: 90/008,104
Art Unit: 3992

Page 87

Conclusion

67. THIS ACTION IS MADE FINAL.

A shortened statutory period for response to this action is set to expire TWO MONTHS from the mailing date of this action.

Extensions of time under 37 CFR 1.136(a) do not apply in reexamination proceedings. The provisions of 37 CFR 1.136 apply only to "an applicant" and not to parties in a reexamination proceeding. Further, in 35 U.S.C. 305 and in 37 CFR 1.550(a), it is required that reexamination proceedings "will be conducted with special dispatch within the Office."

Extensions of time in reexamination proceedings are provided for in 37 CFR 1.550(c). A request for extension of time must be filed on or before the day on which a response to this action is due, and it must be accompanied by the petition fee set forth in 37 CFR 1.17(g). The mere filing of a request will not effect any extension of time. An extension of time will be granted only for sufficient cause, and for a reasonable time specified.

The filing of a timely first response to this final rejection will be construed as including a request to extend the shortened statutory period for an additional month, which will be granted even if previous extensions have been granted. In no event however, will the statutory period for response expire later than SIX MONTHS from the mailing date of the final action. See MPEP § 2265.

Application/Control Number: 90/008,104

Page 88

Art Unit: 3992

68. The Paten Owner is reminded of the continuing responsibility under 37 CFR 1.565(a) to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving Patent No. 6,023,683 throughout the course of this reexamination proceeding.

69. ALL correspondence relating to this ex parte reexamination proceeding should be directed as follows:

Please mail any communications to:

Attn: Mail Stop "Ex Parte Reexam"
Central Reexamination Unit
Commissioner for Patents
P. O. Box 1450
Alexandria VA 22313-1450

Please FAX any communications to:

(571) 273-9900
Central Reexamination Unit

Please hand-deliver any communications to:

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Attn: Central Reexamination Unit
Randolph Building, Lobby Level
401 Dulany Street
Alexandria, VA 22314

Application/Control Number: 90/008,104

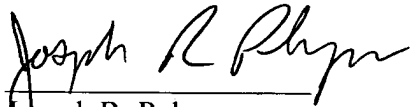
Page 89

Art Unit: 3992

Registered users of EFS-Web may alternatively submit such correspondence via the electronic filing system EFS-Web, at <https://portal.uspto.gov/authenticate/authenticateuserlocalepf.html>. EFS-Web offers the benefit of quick submission to the particular area of the Office that needs to act on the correspondence. Also, EFS-Web submissions are "soft scanned" (i.e., electronically uploaded) directly into the official file for the reexamination proceeding, which offers parties the opportunity to review the content of their submissions after the "soft scanning" process is complete.

Any inquiry concerning this communication should be directed to Joseph R. Pokrzywa at telephone number 571-272-7410.

Signed:



Joseph R. Pokrzywa
Primary Examiner
Central Reexamination Unit 3992
(571) 272-7410

Conferees:

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